

## **CALIFORNIA COASTAL COMMISSION**

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# **W16c**

### **LCP-2-HMB-20-0019-1 (CITY OF HALF MOON BAY DOWNTOWN REVITALIZATION)**

**MAY 13, 2020**

### **EXHIBITS**

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#### **EXHIBITS**

**Exhibit 1 – Proposed IP Amendment (in strikethrough/underline format)**

**Exhibit 2 – City Council Ordinance Approving Proposed IP Amendment**

## Chapter 18.02 DEFINITIONS

### Sections:

- 18.02.010 Purpose and applicability.**
- 18.02.020 Rules for construction of language.**
- 18.02.040 Definitions.**

### 18.02.040 Definitions.

*[To be inserted alphabetically into the existing list]*

Active ground-floor dependent use. "Active ground-floor dependent use" means a commercial or public space that is reliant on pedestrian foot traffic, generally open to the public, generates a high volume of customer or visitor traffic, provides ground floor display windows to promote views into the business, and sells goods that are typically consumed on premises or carried away by customers or services of a personal or recreational nature. Inactive uses are typically not open to the general public, generate a lower volume of customer or visitor traffic, tend to have screened windows to maintain privacy (such as offices and residential uses) and are thereby not oriented to pedestrian foot traffic.

Heritage Main Street. "Heritage Main Street" means the 300, 400, 500, and 600 blocks of Main Street between Pilarcitos Creek and Correas Street.

Mixed-use. "Mixed-use" means the combination of non-residential and residential uses located on the same property as part of a unified development. Mixed-use development consists of commercial and residential uses integrated either vertically (vertical mixed-use) in the same structure or group of structures, or horizontally on the same development site (horizontal mixed-use) where parking, open spaces, and other development features are shared. In a mixed-use development, both uses are considered primary uses of the land.

Parking space, EV. "EV parking space" means a public or private parking space with access to an electric vehicle charging station with at least level 2 capacity or equivalent per California Building Standards Code.

Walk-in clientele use. "Walk-in clientele use" means an office use, including a business or professional office, health service, travel agency, or real estate office providing direct services to patrons or clients that may or may not require appointments and maintains a visibly open storefront and regular business hours. It does not include banks or check-cashing facilities that are separately classified and regulated.

**Chapter 18.06  
RESIDENTIAL LAND USE (R-1, R-2, R-3)**

**Sections:**

- 18.06.010 Purpose and intent.**
- 18.06.020 Schedule of uses.**
- 18.06.025 Use regulations.**
- 18.06.030 Residential development standards.**
- 18.06.035 R-1-B-3 development standards.**
- 18.06.040 Specific development standards.**
- 18.06.050 Exceptions to development standards.**
- 18.06.060 Manufactured homes.**
- 18.06.070 Nonconforming structures.**
- 18.06.080 Permits and plan review.**

**18.06.040 Specific development standards.**

In conjunction with the specific development standards set forth in Tables B and C of this chapter, the following specific development regulations shall apply:

D. Off-Street Parking. Off-street parking shall be provided for all uses within a residential district in accordance with the following minimum requirements:

1. Parking Spaces. Parking spaces shall conform to the following sizes:

**Table D**

**PARKING SPACE SIZE**

<b>Type of Space</b>	<b>Dimensions</b>
Standard	9' x 19' clear
Parallel	10' x 22' clear

2. Access Aisles. Parking areas shall provide adequate aisles for all vehicle turning and maneuvering, and conform to the following parking standards:

Table E

PARKING STANDARDS

Parking Angle	Circulation	Aisle Width
0 degree	one-way	12 feet
0 degree	two-way	24 feet
85 -- 90 degree	one-way	22 feet
85 -- 90 degree	two-way	25 feet
30 -- 45 degree	one-way	14 feet
50 -- 55 degree	one-way	16 feet
60 degree	one-way	18 feet
65 -- 80 degree	two-way	20 -- 23 feet

3. Street Right-of-Way. No parking area shall be designed so that vehicular maneuvering on or backing up into public or private street right-of-way is necessary. This regulation shall not apply to driveways in R-1 and R-2 districts or to projects with two or fewer units in the R-3 district.

4. Location. Required garage spaces shall not be located within the front yard setback, but open, uncovered parking spaces may be located within the side or rear yards.

5. Duplexes and Triplexes. One guest parking space required. The guest parking space shall be uncovered. The guest parking space shall not be in tandem with other required parking spaces without approval of a parking exception.

65. Multi-family Residential. Specific provisions apply to the C-D district per chapter 18.07: otherwise, aAt least one of the two required ~~tenant~~ parking spaces for each unit shall be enclosed within a garage. The second required ~~tenant~~ parking space and shall be covered by a carport, at a minimum.~~Guest~~ parking spaces may be uncovered.

76. Carports. Any carport or open parking area for five or more cars serving a residential use shall be screened by a solid wall or fence six feet in height, except that the height of a wall or fence adjoining a required front yard shall be not less than two feet or more than three feet.

**87. Garages.** Garages shall provide adequate interior area for standard parking spaces. Garage door openings shall have a minimum height of seven feet and shall be covered by a solid or sectional overhead door which shall be constructed of durable material approved by the Building Department, and painted, stained or treated to be harmonious with the exterior of the residential structure. All required garages shall be kept free, clear, and accessible for the parking of a vehicle or vehicles at all times.

## **Chapter 18.07 COMMERCIAL LAND USE (C-D, C-R)**

### **Sections:**

- 18.07.010 Purpose.**
- 18.07.015 C-D and C-R zoning districts established.**
- 18.07.020 Permitted uses.**
- 18.07.025 Use regulations.**
- 18.07.030 General development standards.**
- 18.07.035 C-R zoning district development standards.**
- 18.07.040 C-D zoning district development standards.**
- 18.07.045 Exceptions to development standards.**
- 18.07.050 Nonconforming structures.**
- 18.07.055 Historic downtown area, structures and uses.**
- 18.07.060 Required permits and plan review.**

### **18.07.010 Purpose.**

The purpose of establishing these commercial-downtown and commercial-residential districts and adopting development standards and use regulations is to:

- A. Guide the orderly development of lands designated on the land use plan map for general commercial uses;
- B. Implement the policies of the downtown historic district specific plan encouraging a range of uses to serve the local residents and visitors to the area;
- C. Provide appropriately located areas consistent with the policies for the Half Moon Bay downtown specific plan, the land use plan, and the general plan for a full range of office, retail commercial, service commercial, and visitor serving uses needed by residents of the city, and visitors to the historic downtown area;
- D. Strengthen and expand the city's economic base, by providing for visitor serving needs while protecting the small businesses that currently serve city residents in the historic downtown area on a daily basis;
- E. Minimize the impact of commercial development on adjoining residential areas by providing a transition area of lower intensity commercial uses;
- F. Encourage new commercial mixed-use, and residential development and adaptive reuse of existing historic buildings and sites compatible with surrounding development and consistent with site limitations;

G. Maintain the existing character of the historic downtown area and discourage the development of new incompatible commercial structures and uses;

H. Ensure the provision of adequate on-site parking, loading and circulation while maintaining the economic vitality of the area;

I. Ensure that the size, scale, character and design of any new buildings are consistent with other structures in the immediate vicinity;

J. Allow public and semipublic uses in commercial areas that are compatible with or supportive of commercial development;

K. Providing for the continued economic use of historic buildings and sites so as to ensure their restoration and preservation. (1996 zoning code (part)).

**18.07.015 C-D and C-R zoning districts established.**

The intent of this chapter is to establish the following commercial districts and to guide the orderly development within each district as follows:

A. C-D District, Commercial-Downtown. The intent of establishing this zoning district is to implement the provisions of the downtown specific plan calling for the establishment of development standards and a range of uses that would maintain and be consistent with the historic patterns and pedestrian scale of development within the historic downtown area. Of special importance is the visual quality of the historic downtown area.

1. This district is intended to function as a mixed-use neighborhood comprised of residential, mixed-use and commercial development providing for visitor serving commercial uses such as restaurants and art galleries, certain public uses, and other retail and service commercial uses and professional offices that serve the local residents on a daily basis.

2. This district is intended to reinforce the visitor-serving, pedestrian-oriented environment of downtown, especially where the heritage downtown development form remains intact on the Heritage Main Street blocks between Pilarcitos Creek and Correas Street. Retail and visitor-serving commercial uses are encouraged on the ground or first floor, with professional offices on the upper floors. This policy is not intended to be used to preclude professional offices on the ground floor, particularly in single-story buildings.

B. C-R District, Commercial-Residential. The intent of establishing this zoning district is to provide a transition zone between the active commercial districts and single-family residential areas. In this transition zone between residential neighborhoods and the more intensive commercial areas, development is limited to residential uses, low intensity professional offices, and semipublic uses.

1. It is intended that commercial and professional uses be limited to those with low noise levels, minimal vehicular traffic from patrons, deliveries or pick-ups, and hours of operation that would not adversely impact residents. (1996 zoning code (part)).

**18.07.020 Permitted uses.**

Tables in section 18.07.020A of this chapter establish~~es~~ the uses permitted in the commercial-downtown and commercial-residential districts.

A. The uses listed in Tables 18.07.020A through E are numbered and categorized into types of uses. Definitions of each type of use are located within this title in Chapter 18.03, Use Classifications. Uses that are not listed are prohibited within the commercial-downtown and commercial-residential districts.

B. Use classifications followed by the term "OK" are permitted, whereas use classification followed by the term "UP" require approval of a use permit. A use classification followed by the term "NO" means that the use is not permitted. The term "CDD" means that some or all uses in the use classification require a determination by the community development director that they meet the definition of "active ground-floor dependent use" in Section 18.02.040 or that they are ancillary to a permitted use where required by Section 18.07.025. In the event the community development director determines that a proposed use is not permitted, an applicant may appeal the determination to the planning commission. The term "UPCC" means that some or all uses in the use classification are permitted in most cases, but that approval of a use permit is required in certain cases.

C. Further description of the circumstances related to the "CDD" and "UPCC" listings in the Tables in section 18.07.020A, and other specific regulations for certain uses listed in Table 18.07.020A can be found in Section 18.07.025. The letters and numbers in Section 18.07.025 correspond to the use categories and specific uses listed in Tables 18.07.020A through E.

**Table 18.07.020A**

**COMMERCIAL USES**



C-D Commercial downtown zoning district

C-R Commercial residential zoning district

C-D (Heritage Main Street) Commercial downtown zoning district – Main Street between Pilarcitos Creek and Correas Street, First Fifty Feet of Frontage Depth on Ground Floor

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

CDD = Requires Community Development Director determination if use qualifies as active ground-floor dependent use or as ancillary to a permitted use

Key	Commercial Uses	C-D Zoning	C-R Zoning	<u>C-D</u>
				<u>Heritage</u> <u>Main Street</u>
A-1	Adult Business	NO	NO	<u>NO</u>
A-2	Ambulance Service	UPCC	NO	<u>NO</u>
A-3	Animal Sales or Service:			
a	• Boarding	UPCC	NO	<u>NO</u>
b	• Grooming	OK	NO	<u>CDD</u>
c	• Medical Care	OK	NO	<u>NO</u>
d	• Retail Sales	OK	NO	<u>CDD</u>
A-4	Art Gallery	OK	UP	<u>OK</u>
A-5	Artist's Studio	OK	UPCC	<u>CDD</u>
A-6	Banking:			
a	• Full Service	OK	NO	<u>NO</u>
b	• ATM Only	OK	NO	<u>OK</u>
c	• Drive-Up Teller	OK	NO	<u>NO</u>
A-7	Building Materials Sales or Service	OK	NO	<u>NO</u>
A-8	Catering	OK	NO	<u>CDD</u>
A-9	Circus, Carnival or Exhibition	OK	NO	<u>OK</u>
A-10	Commercial Filming	OK	OK	<u>OK</u>

Key	Commercial Uses	C-D Zoning	C-R Zoning	<u>C-D</u> <u>Heritage</u> <u>Main Street</u>
A-11	Commercial Recreation or Entertainment:			
a	• Indoor	UPCC	NO	<u>UP</u>
b	• Outdoor	UPCC	NO	<u>UP</u>
A-12	Communication Facility	OK	NO	<u>NO</u>
A-13	Eating or Drinking Establishment:			
a	• Cafe, Diner or Restaurant	OK	NO	<u>OK</u>
b	• Fast Food or Takeout	OK	NO	<u>OK</u>
c	• Drive-Th <del>r</del> ough Fast Food	NO	NO	<u>NO</u>
d	• Bar or Tavern	<u>UP</u> <del>OK</del>	NO	<u>UP</u>
A-14	Equestrian Center	NO	NO	<u>NO</u>
A-15	Food or Beverage Sales	OK	NO	<u>OK</u>
A-16	Funeral or Internment Service	OK	NO	<u>NO</u>
A-17	Gardening Service	OK	NO	<u>NO</u>
A-18	Laboratory	OK	NO	<u>NO</u>
A-19	Maintenance or Repair Service	OK	NO	<u>CDD</u>
A-20	Nursery, Plant	OK	NO	<u>CDD</u>
A-21	Office:			
a	• Business or Professional	OK	OK	<u>UPCC</u>
b	• Health Service	OK	OK	<u>CDD/UPCC</u>
c	• Travel Agency	OK	NO	<u>UPCC</u>
A-22	Personal Improvement Service	OK	UP	<u>CDD/UPCC</u>
A-23	Personal Service	OK	NO	<u>CDD/UPCC</u>
A-24	Printing or Publication Facility	OK	NO	<u>CDD/UPCC</u>
A-25	Real Estate Office	OK	NO	<u>UPCC</u>

Key	Commercial Uses	C-D Zoning	C-R Zoning	<u>C-D</u>
				<u>Heritage</u> <u>Main Street</u>
A-26	Research and Development	<u>UPCCNO</u>	NO	<u>NO</u>
A-27	Retail Sales:			
a	• Indoor Retail	OK	UP	<u>OK</u>
b	• Outdoor Retail	OK	NO	<u>OK</u>
c	• Visitor-Serving Retail	OK	NO	<u>OK</u>
A-28	Seasonal Agricultural Sales	OK	NO	<u>CDD</u>
A-29	Secondhand Sales, Pawn Shop	OK	NO	<u>OK</u>
A-30	Vehicle/Equipment Sales or Service			
a	• Automobile Rental	OK	NO	<u>NO</u>
b	• Automobile Washing	UP	NO	<u>NO</u>
c	• Service Station	OK	NO	<u>NO</u>
d	• Vehicle or Equipment Repair	UP	NO	<u>NO</u>
e	• Vehicle or Equipment Sales or Rental	OK	NO	<u>NO</u>
f	• Vehicle Storage	NO	NO	<u>NO</u>
A-31	Visitor Accommodation:			-
a	• Bed and Breakfast Inn	OK	UP	<u>NO</u>
b	• Campground or RV Park	NO	NO	<u>NO</u>
c	• Hotel, Motel or Time Share	OK	NO	<u>NO</u>
d	• Spa Resort	OK	NO	<u>NO</u>
A-32	Warehouse or Storage	OK	NO	<u>NO</u>

**Table 18.07.020B**

**INDUSTRIAL USES**

C-D Commercial downtown zoning district

C-R Commercial residential zoning district

C-D (Heritage Main Street) Commercial downtown zoning district – Main Street between Pilarcitos Creek and Correas Street, First Fifty Feet of Frontage Depth on Ground Floor

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

CDD = Requires Community Development Director determination if use qualifies as active ground-floor dependent use or as ancillary to a permitted use

Key	Industrial Uses	C-D Zoning	C-R Zoning	<u>C-D</u>
				<u>Heritage</u> <u>Main Street</u>
B-1	Custom Industry	UPCC	NO	<u>UPCC</u>
B-2	General Industry	NO	NO	<u>NO</u>
B-3	Limited Industry	NO	NO	<u>NO</u>
B-4	Wholesaling, Distribution or Storage	UP	NO	<u>NO</u>

Table 18.07.020C

**PUBLIC AND QUASI-PUBLIC USES**

C-D Commercial downtown zoning district

C-R Commercial residential zoning district

C-D (Heritage Main Street) Commercial downtown zoning district – Main Street between Pilarcitos Creek and Correas Street, First Fifty Feet of Frontage Depth on Ground Floor

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

CDD = Requires Community Development Director determination if use qualifies as active ground-floor dependent use or as ancillary to a permitted use

Key	Public and Quasi-Public Uses	C-D Zoning	C-R Zoning	<u>C-D</u>
				<u>Heritage</u> <u>Main Street</u>
C-1	Club or Lodge	OK	UP	<u>NO</u>
C-2	Convalescent Facility	UP	UP	<u>NO</u>
C-3	Cultural Institution	OK	UP	<u>CDD</u>
C-4	Day Care, General	UP	UP	<u>NO</u>
C-5	Government Office	OK	OK	<u>UP</u>
C-6	Health Care:			
a	• Hospital or Clinic	UP	UP	<u>NO</u>
b	• Emergency Health Care	UP	UP	<u>NO</u>
C-7	Park or Recreation Facility	OK	OK	<u>CDD</u>
C-8	Public Safety Facility	OK	OK	<u>UP</u>
C-9	Religious Assembly	UP	UP	<u>UP</u>
C-10	Residential Care, General	UP	UP	<u>NO</u>
C-11	School, Public or Private	UP	UP	<u>NO</u>
C-12	Utility:			
a	• Major	NO	NO	<u>NO</u>
b	• Minor	OK	OK	<u>OK</u>

**Table 18.07.020D**

**RESIDENTIAL USES**

C-D Commercial downtown zoning district

C-R Commercial residential zoning district

C-D (Heritage Main Street) Commercial downtown zoning district – Main Street between  
Pilarcitos Creek and Correas Street, First Fifty Feet of Frontage Depth on Ground Floor

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

CDD = Requires Community Development Director determination if use qualifies as active ground-floor dependent use or as ancillary to a permitted use

Key	Residential Uses	C-D Zoning	C-R Zoning	<u>C-D Heritage Main Street</u>
D-1	Group Residential	UP	UP	<u>NO</u>
D-2	Large Family Day Care	OK	OK	<u>NO</u>
D-3	Small Family Day Care	OK	OK	<u>NO</u>
D-4	Limited Residential Care	UP	UP	<u>NO</u>
D-5	Multi-Family Residential	<u>OKUP</u>	<u>OKUPCC</u>	<u>NO</u>
D-6	Single-Family Residential	<u>OKUP</u>	OK	<u>NO</u>

Table 18.07.020E

#### ACCESSORY USES

C-D Commercial downtown zoning district

C-R Commercial residential zoning district

C-D (Heritage Main Street) Commercial downtown zoning district – Main Street between Pilarcitos Creek and Correas Street, First Fifty Feet of Frontage Depth on Ground Floor

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain circumstances

CDD = Requires Community Development Director determination if use qualifies as active ground-floor dependent use or as ancillary to a permitted use

Key	Accessory Uses	C-D Zoning	C-R Zoning	<u>C-D Heritage Main Street</u>
E-1	Accessory Use or Structure	OK	OK	<u>CDD</u>
E-2	Accessory Dwelling Unit	OK	OK	<u>OK</u>

Key	Accessory Uses	C-D	C-R	C-D
		Zoning	Zoning	Heritage Main Street
E-3	Mixed Commercial and Residential	<u>OKUP</u>	<u>OKUP</u>	<u>OK</u>

(Ord. C-2018-04 §2(Att. A)(part), 2018; Ord. C-2016-03 §5(part), 2016; Ord. C-2015-04 §1(part), 2015; 1996 zoning code (part)).

#### 18.07.025 Use regulations.

The following use categories and any additional regulations associated with an identified use are to be taken together with the permit requirements listed for each use classification in Tables 18.07.020A through E. These regulations shall apply to both permitted uses and for uses which are only allowed upon approval of a use permit by the planning commission. Regulations specifically applicable to the ground floor of Main Street between Pilarcitos Creek and Correas Street (Heritage Main Street) are identified when they are distinct from the additional regulations for the commercial-downtown district generally and are further described in subsection (F).

#### A. Commercial Uses.

A-1 Adult Business. No additional regulations specified.

A-2 Ambulance Service. A use permit is required only where a proposed ambulance service would be located within one thousand feet of an R district or fifty feet of a site occupied by a public or private school or a park or recreation facility.

A-3 Animal Sales or Service. No additional regulations specified.

A-3 a. Boarding. A use permit is required when a proposed boarding facility would be located within two hundred feet of a residential district to ensure that potential noise impacts are adequately addressed.

A-3 b. Grooming. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must be ancillary to a permitted use on Heritage Main Street; otherwise No additional regulations specified.

A-3 c. Medical Care. No additional regulations specified.

A-3 d. Retail Sales. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must be ancillary to a permitted use on Heritage Main Street; otherwise The sale of domestic animals is allowed as an incidental use to any permitted use in the C-D district.

A-4 Art Gallery. No additional regulations specified.

A-5 Artist's Studio. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must be ancillary to a retail use or art gallery; otherwise Studios where the artist works, displays and sells artwork are permitted. A use permit is required in the C-R district only when the artist also lives on the premises and/or maintains an active sales operation.

A-6 Banking. No additional regulations specified.

A-6 a. Full Service. No additional regulations specified.

A-6 b. ATM Only. No additional regulations specified.

A-6 c. Drive-Up Teller. No additional regulations specified.

A-7 Building Materials Sales or Service. Activities shall be conducted and materials shall be stored within a building or shall be enclosed by a fence, wall or permanent planting at least six feet in height. Milling or planing of lumber or other wood products is prohibited unless incidental to a retail use or contractor's yard.

A-8 Catering. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must be ancillary to an eating or drinking establishment. Catering businesses may be permitted in conjunction with a residential use subject to approval by the San Mateo County environmental health department.

A-9 Circus, Carnival or Exhibition. Such uses, including street fairs and markets on city streets are permitted upon approval of special events permit. The event may be in one location no longer than two weekend days over two consecutive weekends, unless otherwise permitted by the city council in conjunction with the special events permit. Signs advertising the event shall be approved by the city council in conjunction with the approval of the special events permit.

A-10 Commercial Filming. Use permitted upon securing all necessary permits and licenses required by the municipal code.

A-11 Commercial Recreation or Entertainment. No additional regulations specified.

A-11 a. Indoor. Small-scale billiards/pool halls and movie theaters are permitted in the C-D district by use permit only. Electronic game centers shall not be located within three hundred feet of a school site or the boundary of a residential district, or within five hundred feet of a liquor store, cocktail lounge or bar. At least one adult manager shall be on the premises during the time a game center is open to the public. No game center owner, manager or employee shall allow a minor under eighteen years of age to play game machines during the hours the public schools are open, or after nine p.m. on nights preceding school days. The planning commission may impose restrictions on the design, location and operation of a game center in order to minimize the effects of noise,



congregation, parking, and other nuisance factors that may be detrimental to the community. Bowling alleys, indoor skating rinks and tennis courts and the like are not permitted in the C-D and C-R districts.

A-11 b. Outdoor. Small-scale outdoor commercial recreation uses and activities such as bocce courts and seasonal events such as live music may be permitted. Golf courses and driving ranges, outdoor skating rinks and skateboard parks and tennis courts are not permitted in the C-D and C-R, districts. A use permit shall be required for any extensive outdoor uses not listed.

A-12 Communication Facility. No additional regulations specified.

A-13 Eating or Drinking Establishment. No additional regulations specified.

A-13 a. Cafe, Diner or Restaurant. No additional regulations specified.

A-13 b. Fast Food or Takeout. Identifiable containers and napkins shall be used for all carry-out food, and all litter resulting shall be promptly removed.

A-13 c. Drive-Through Fast Food. No additional regulations specified.

A-13 d. Bar or Tavern. No additional regulations specified.

A-14 Equestrian Center. No additional regulations specified.

A-15 Food or Beverage Sales. No additional regulations specified.

A-16 Funeral or Internment Service. No additional regulations specified.

A-17 Gardening Service. No additional regulations specified.

A-18 Laboratory. No additional regulations specified.

A-19 Maintenance or Repair Service. For uses in the first fifty feet of frontage depth on the ground floor or Heritage Main Street, the use must meet the definition of an active ground-floor dependent use, such as shoe repair, appliance services, or a maintenance and repair use ancillary to a permitted use on Heritage Main Street; otherwise, No additional regulations specified.

A-20 Nursery, Plant. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must meet the definition of an active ground-floor dependent use; otherwise, oOutdoor storage and display is limited to plants and garden features such as statues, fountains and benches. All merchandise must be

kept in an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

A-21 Office. No additional regulations specified.

A-21 a. Business or Professional. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, business or professional offices are prohibited, except pursuant to Section 18.07.025F. In the remainder of the C-D district, business and professional offices are encouraged on the upper floors of multiple story structures; however, this does not preclude the establishment of business and professional offices on the ground floor in locations other than Heritage Main Street between Pilarcitos Creek and Correas Street. In the C-R district, business and professional offices shall be limited to small scale, low intensity uses.

A-21 b. Health Service. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must meet the definition of an active ground-floor dependent use such as an optometric dispensary or sales of medical equipment for personal use; otherwise, health service uses are prohibited, except pursuant to Section 18.07.025F. In the C-R district, health services offices shall be limited to small scale, low intensity uses.

A-21 c. Travel Agency. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, travel agencies are prohibited, except pursuant to Section 18.07.025F. No additional regulations specified.

A-22 Personal Improvement Service. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must meet the definition of an active ground-floor dependent use; otherwise, professional improvement service uses are prohibited, except pursuant to Section 18.07.025F. No additional regulations specified.

A-23 Personal Service. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must meet the definition of an active ground-floor dependent use; otherwise, personal service uses are prohibited, except pursuant to Section 18.07.025F. No additional regulations specified.

A-24 Printing or Publication Facility. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must meet the definition of an active ground-floor dependent use such as for retail and/or self-service printing and publication; otherwise, printing and publication facility uses are prohibited, except pursuant to Section 18.07.025F. No additional regulations specified.

A-25 Real Estate Sales Office. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, real estate offices are prohibited, except pursuant to Section 18.07.025F. ~~No additional regulations specified.~~

A-26 Research and Development. A combination of office space and up to 2,000 additional square feet of space for laboratories, small-scale fabrication, assembly, and testing, all fully enclosed inside a building, may be permitted. Any storage of hazardous materials or equipment noise or vibration shall be compatible with the C-D district; all other aspects of the use must be consistent with the Laboratories use classification. ~~No additional regulations specified.~~

A-27 Retail Sales. No additional regulations specified.

A-27 a. Indoor Retail. Display of products usually sold inside a building on a commercial site may be permitted outside the building on a temporary or occasional basis, subject to approval by the community development director. Retail sales within the C-R district may only be permitted by use permit if ancillary to a permitted use.

A-27 b. Outdoor Retail. Outdoor display of merchandise on a temporary basis shall be subject to approval by the community development director. Permanent outdoor sales operations, such as sidewalk cafes, flower and produce stands, hot dog carts, coffee/pastry stands, T-shirts, outdoor furniture gardens, are permitted on an ongoing basis only if ~~located on private property and not~~ located on ~~city or state~~ right-of-way, and only after (1) receiving a determination by the planning commission that the proposed use and operational characteristics are consistent with the underlying zoning designation and development standards, ~~and~~ (2) securing approval of a business license in accordance with the provisions of the municipal code, and (3) securing an encroachment permit and/or license agreement with the city if the display area is located on city property or located within a city right-of-way.

A-27 c. Visitor-Serving Retail. No additional regulations specified.

A-28 Seasonal Agricultural Sales. Fruit, vegetable and Christmas tree sales are permitted for a period of forty-five days, and shall be subject to the requirements of the municipal code. The community development director shall impose reasonable conditions upon the establishment to ensure adequate parking, safe and convenient traffic circulation, and that minimum health and safety standards are met. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must be ancillary to a permitted use on Heritage Main Street.

A-29 Second Hand Sales, Pawn Shop. No additional regulations specified.

A-30 Vehicle or Equipment Sales and Service. No additional regulations specified.

A-30 a. Automobile Rental. No additional regulations specified.

A-30 b. Automobile Washing. No additional regulations specified.

A-30 c. Service Station. All auto, truck and equipment repair and service facilities shall be appropriately landscaped and maintained. Inoperative vehicle storage on the premises is prohibited. Operative vehicles and/or equipment stored on the premises shall be screened from public view. Display racks for automobile products no more than four feet wide may be maintained at each pump island of a service station, or within three feet of the main building, and shall be limited to one per street frontage.

A-30 d. Vehicle or Equipment Repair. Repair shops such as auto body and painting, fender work, upholstery and detailing, and major auto repairs shall be appropriately landscaped and maintained. Conditions of approval of a use permit may require buffering, screening, planting areas or limits on the hours of operation to avoid adverse impacts on properties in the surrounding area. Inoperative vehicle storage on the premises is prohibited, and operative vehicles and/or equipment stored on the premises shall be screened from public view.

A-30 e. Vehicle or Equipment Sales or Rental. No additional regulations specified.

A-30 f. Vehicle Storage. All vehicle storage facilities shall be enclosed by a six foot high fence and all vehicles shall be screened from view.

A-31 Visitor Accommodation. No additional regulations specified.

A-31 a. Bed and Breakfast Inn. In the C-R district, a maximum of ~~three~~five guest rooms on any one site may be permitted upon approval of a use permit in each case.

A-31 b. Campground or RV Park. Landscaping at recreational vehicle parks shall be fully matured within five years of development to assure full screening from public roads, vista points, public recreation areas and residential areas.

A-31 c. Hotel, Motel or Time Share. Within the C-D district, hotel, motel, time shares, and bed and breakfast inns are permitted only if the number of bedrooms does not exceed thirty-six per net acre of the building site area. Living rooms in suites shall be considered bedrooms for purposes of this calculation.

A-32 Warehouse or Storage. Only warehousing/storage area having two thousand five hundred square feet or less that is incidental to a commercial use is permitted within an enclosed building. Mini-storage or self-storage facilities may be permitted in the C-D district only by approval of a use permit and shall be subject to architectural, landscape and site plan review.

B. Industrial Uses.

B-1 Custom Industry. Small scale custom industries such as ceramic studios, candle-making shops and artisan or custom jewelry manufacturing with hand or small-scale mechanized equipment are permitted in the C-D district. Such uses which may also sell goods produced on-site directly to customers are permitted in the C-D district. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must meet the definition of an active ground-floor dependent use.

B-2 General Industry. No additional regulations specified.

B-3 Limited Industry. No additional regulations specified.

B-4 Wholesaling, Distribution or Storage. No additional regulations specified.

C. Public and Quasi-Public.

C-1 Club or Lodge. No additional regulations specified.

C-2 Convalescent Facility. City, county and state permits or licenses must be obtained prior to establishing the use. The Half Moon Bay fire protection district shall review and approve all aspects of the use prior to the issuance of building permits.

C-3 Cultural Institution. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, the use must be consistent with definition of an active ground-floor dependent use; otherwise, No additional regulations specified.

C-4 Day Care, General. All required city, county and state permits or licenses must be obtained prior to establishing the use. The Half Moon Bay fire protection district shall review and approve all aspects of the use prior to the issuance of building permits.

C-5 Government Office. No additional regulations specified.

C-6 Health Care. No additional regulations specified.

C-6 a. Hospital or Clinic. No additional regulations specified.

C-6 b. Emergency Health Care. No additional regulations specified.

C-7 Park or Recreation Facility. On private property fronting Heritage Main Street, areas that are not developed with buildings fronting the Main street sidewalk must be established as plazas, outside dining areas, or other uses

consistent with the definition of an active ground-floor dependent use; otherwise, No additional regulations specified.

C-8 Public Safety Facility. No additional regulations specified.

C-9 Religious Assembly. No additional regulations specified.

C-10 Residential Care, General. No additional regulations specified.

C-11 School, Public or Private. No additional regulations specified.

C-12 Utility. No additional regulations specified.

C-12 a. Major. All public utility substations shall be enclosed by a solid fence or wall a minimum of six feet in height. The planning commission may approve alternative screening such as a hedge or other plant materials, where appropriate to the design and location in relationship to other properties.

C-12 b. Minor. No additional regulations specified.

#### D. Residential Uses.

D-1 Group Residential. No additional regulations specified.

D-2 Large Family Day Care. No additional regulations specified.

D-3 Limited Day Care. No additional regulations specified.

D-4 Limited Residential Care. No additional regulations specified.

D-5 Multifamily Residential. Except for in the first fifty feet of frontage depth the ground floor of Heritage Main Street, new multi-family development, including duplexes, triplexes, apartments and condominiums are permitted uses; as are conversions of existing development from non-residential to residential use. Two-family residences are permitted, and plans must be approved by the community development director prior to receiving a building permit. Structures providing three or more residential units require planning commission approval. The For new residential development subject to a discretionary permit, the community development director or planning commission may consider the recommendation of any city council appointed advisory committee or commission.

D-6 Single-Family Residential. No additional regulations specified.

#### E. Accessory Uses.



**E-1 Accessory Use or Structure.** Accessory uses and structures are permitted when they are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site. Accessory uses to a residential use would include home occupations and garage sales. Accessory uses for retail or office uses would include storage incidental to a permitted use. Accessory structures such as garages or storage and maintenance sheds are permitted. For uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street, accessory uses or structures shall be ancillary to a permitted use on Heritage Main Street.

**E-2 Accessory Dwelling Unit.** No additional regulations specified.

**E-3 Mixed Commercial and Residential.** No additional regulations specified. (Ord. C-2019-03 §2(Exh. A)(part), 2019; Ord. C-2018-04 §2(Att. A)(part), 2018; Ord. C-2015-04 §1(part), 2015; 1996 zoning code (part)).

#### F. Heritage Main Street.

Uses in the first fifty feet of frontage depth on the ground floor of Heritage Main Street must be consistent with the definition of active ground-floor dependent uses, as specified in Tables 18.07.020A through E. The following exceptions apply:

1. The fifty-foot frontage depth may be reduced to as short as twenty feet, upon issuance of a use permit. Prior to issuing the use permit, the Planning Commission shall make all of the following additional findings: (a) the proposed use does not require a 50-foot depth to establish an active ground-floor dependent use; (b) the proposed uses will not cause irreversible modification to the building; and (c) shall further find that the reduction in depth will maintain ground-floor use activity between the business frontage and Main Street, the business frontage on any side street in the case of corner properties, and the business frontage onto exterior courtyards and yards fronting on Main Street.
2. For single-family dwellings on Heritage Main Street in existence as of January 1, 2020, the use restrictions for the C-D district, and not for C-D Heritage Main Street, shall apply.
3. Business or professional offices, health services, travel agencies, printing or publication facilities, and real estate offices are permitted in the first fifty feet of frontage depth on the ground floor of Heritage Main Street upon issuance of a use permit. Prior to issuing the use permit, the Planning Commission shall make all of the following additional findings: (a) the use is proposed for a building space that has been vacant for six or more months during which the applicant demonstrates there has been active marketing of the space for sale or lease for permitted or conditionally permitted uses at an appropriate price; and (b) the proposed use meets the definition of walk-in clientele use. The use permit shall expire after one year

and the use shall cease. A one-year extension may be granted by the Community Development Director if the use continues to meet the definition of walk-in clientele use.

4. This requirement does not preclude other uses that are permitted or conditionally permitted in the C-D district from occupying other portions of the ground floor or upper floors of a building with an active ground-floor dependent use(s). Access to such spaces may be located on Main Street provided that is is subordinate to the active ground-floor dependent use(s).

#### **18.07.030 General development standards.**

A. Residential Development. Separate dwelling units shall be subject to the standards for minimum setbacks, height limits, floor area ratios, lot coverage, landscaping, fences and useable open space as specified in this title for the proposed dwelling. Single-family residences shall meet all of the development standards for the R-1 district; two-family residences shall meet the requirements for the R-2 district; and structures with three or more units shall meet the R-3 district standards. For mixed use projects, residential development standards may be modified by the planning commission as a part of any use-permitdiscretionary review.

B. Minimum Site Area and Width. The standards for minimum site area and width are established for each commercial district in this chapter. Existing legal parcels created before the effective date of this chapter are not subject to these minimum area and width requirements. Only new subdivisions of existing parcels shall be subject to the minimum site and area requirements.

~~C. Site Coverage. Commercial buildings are not limited to a percentage coverage of commercially zoned sites, however, for any new construction, parking and any setback requirements shall dictate the area available for building. For residential uses in a commercial district, one-family and two-family residential structures are limited to thirty-five percent site coverage for multiple stories, and fifty percent site coverage for a single story. A maximum site coverage of thirty-five percent shall be permitted for multiple-family residential structures. These standards are not applicable to mixed-use projects.~~

C. Exterior Noise Limit. Sound levels measured at the property line of the lot where the lot borders an R, OS, UR or OSR district, may not exceed the following levels:

#### **MAXIMUM NOISE LEVEL**

Time of Day	More than 30 minutes/hour	More than 5 minutes/hour	At any time
7 a.m. to 10 p.m.	60 dBA	70 dBA	80 dBA



### MAXIMUM NOISE LEVEL

Time of Day	More than 30 minutes/hour	More than 5 minutes/hour	At any time
10 p.m. to 7 a.m.	55 dBA	65 dBA	75 dBA

D. Off-Street Parking Plans. A parking plan which meets the off-street parking requirements contained in this title shall be submitted with each project for new development or addition of floor area, or whenever plans are submitted for a use conversion which will result in an intensification of use. The plan will be reviewed for conformance with standards for parking spaces and aisles, location, units of measurement, and other standards as may be applicable.

E. Landscaping. A landscaping plan is required for all new construction or extensive remodel projects, and shall be in conformance with design criteria contained in this title and with the city's current water-efficient landscaping program.

1. All planting areas, plant materials, and irrigation shall conform with the guidelines in the city's current water efficient landscaping program.

2. No landscaping may impede, block, obstruct, or otherwise be allowed to grow over a public sidewalk or other form of public or private access way such as a street, sidewalk or road without an encroachment permit. Trees and shrubs shall be maintained in such a manner as to provide adequate, clear site distance for traffic safety on public or private sidewalks, streets, roads or rights-of-way.

3. Parking lots shall have perimeter landscaping areas and interior landscaping areas distributed throughout the parking lot. The landscaped areas shall have a minimum width of two feet, separated from the parking lot paving by a six inch curb. A minimum of one tree for every six parking spaces shall be distributed throughout the parking lot.

F. Signs. Each project shall comply with the sign regulations contained in Titles 15 and 18. Monument signs are strongly discouraged, and pedestrian-scaled and oriented signage is encouraged. All new signs shall be reviewed and approved by the community development director or planning commission when deemed appropriate prior to installation.

G. Fences. The height of a fence, wall or hedge shall be measured vertically from the natural or finished existing grade, whichever is lower, from the base to the top of the fence, wall or hedge above that grade. The following specific criteria shall apply:

1. Along rear or side property lines, a maximum fence height of eight feet is permitted.
2. Where the side or rear property line adjoins a residential property, a fence having a minimum height of six feet shall be installed along that property line, unless one exists.
3. A solid wall or fence within fifteen feet of a street property line shall not exceed three feet in height. The community development director may approve an increased fence height to four feet if the fence materials have openings comprising at least fifty percent. In no case may a fence in this area exceed four feet in height.
  - a. A lower fence height limit may be imposed by the community development director if it is determined that the fence would: (a) obstruct visibility thereby negatively impacting traffic safety, or (b) obscure an approved sign advertising a business on an adjoining property.
4. A solid masonry or concrete wall at least six feet in height shall be installed along any property line shared by a nonresidential site and the site of an existing ground-floor residential use, unless there is a ten-foot landscaped buffer area on the commercial site. As part of development approval, a lower fence height limit or alternate materials may be considered by the planning commission or community development director, if it is determined that the standard wall or landscape buffer is unnecessary to protect residential privacy or quiet enjoyment. If a nonresidential building has a zero setback and has no openings along the adjoining property lines, no wall needs to be installed along the length of the building.

H. Refuse Storage Areas. For all nonresidential and multi-family residential projects, recyclable materials and refuse storage area shall be provided prior to occupancy, either inside a building or within a trash enclosure, as specified in this title.

I. Residential Storage Areas: For each residential unit in new multi-family or mixed-use development, a minimum of sixty cubic feet of enclosed, lockable storage space shall be provided outside of the unit. The storage space may be within a fully enclosed garage or other parking area, provided that the storage space is in addition to the parking space(s) required. The storage space is in addition to any secured storage space required for bicycle parking. The storage space may also be located off of a patio, balcony, or deck provided that it is in addition to the private open space required, is in an enclosed space, and does not negatively impact building or landscape design.

J. Accessory Dwelling Units. All accessory dwelling units in these commercial districts must comply with the regulations contained in this title.

K. Satellite Antennas. All satellite antennas shall meet the standards and regulations contained in this title.

L. Underground Utilities. All new electrical, telephone and similar distribution lines providing direct service to a commercial site, and any existing services on the site shall be installed underground within the site unless such installation is deemed to be not feasible by the planning commission.

M. Screening. All outdoor storage and display areas shall be screened from view by a solid fence or wall, unless otherwise approved by the community development director or planning commission. Mechanical equipment and utility meters shall be screened from view from public rights-of-way. Screening materials may have evenly distributed openings or perforations averaging fifty percent of the surface area, as long as the mechanical equipment is screened so that it is not visible from a street or adjoining lot.

N. Performance Standards. No activity on a commercial site may produce vibration, dust, odors, heat and humidity, electromagnetic interference which are perceptible without instruments by a reasonable person at the property lines of a site. Minors or highly reflective glass shall not cover more than twenty percent of a building surface visible from a street, unless an applicant submits information demonstrating that use of such glass would not significantly increase glare visible from adjacent streets or pose a hazard for moving vehicles. Combustibles, explosives, radioactive materials and hazardous materials shall comply with HMBFPD fire prevention codes, California hazardous materials regulations, and/or any other applicable laws.

O. Coastal Resource Conservation Standards. The standards and regulations contained in this title for habitat conservation, archaeological resource conservation, coastal access, scenic corridors and community visual resources shall be met for each project.

P. Architectural and Site and Design Review. The standards and review process contained in this title shall be met for each project.

Q. Coastal Development Permit. The requirements contained in this title for a coastal development permit shall be met for each project which is subject to those requirements. (Ord. C-2019-03 §2(Exh. A)(part), 2019; Ord. C-2018-04 §2(Att. A)(part), 2018; Ord. C-2015-04 §1(part), 2015; 1996 zoning code (part)).

#### **18.07.035 C-R zoning district development standards.**

Development standards for the C-R commercial residential zoning district are as follows:

A. Minimum Lot Size and Width. The minimum lot size shall be five thousand square feet with a minimum width of fifty feet.

B. **Minimum Setbacks.** The front yard setback shall be a minimum of twenty feet, the rear and side yard setbacks shall be a minimum of five feet each. Where a parcel borders an R district, a solid six foot high wall or fence shall be installed along the adjoining rear and/or side property line.

C. **Maximum Height.** The maximum building height permitted shall be twenty-eight feet.

D. **Minimum Landscaping.** A total of twenty-five percent of any site used for commercial purposes shall be landscaped.

E. **Lot Coverage.** Single-story structures shall not exceed fifty percent coverage of the site, and multi-story structures shall not exceed thirty-five percent coverage of the site.

F. **Floor Area Ratio.** The maximum floor area ratio for exclusive residential uses is fifty percent.

G. **Parking.** ~~Two enclosed garage spaces are required for each dwelling unit.~~ Parking for single-family, duplexes, and triplexes shall comply with the standards of chapter 18.36. For mixed-use and multi-family residential projects, two parking spaces shall be provided for each new dwelling unit and at least one of the required parking spaces per unit shall be a garage space. For projects with three or more residential units, one guest parking space shall be provided for each four units with a minimum of one space. Parking provisions for the non-residential portion of mixed-use projects shall comply with chapter 18.36. (1996 zoning code (part)).

#### **18.07.040 C-D zoning district development standards.**

Development standards for the C-D commercial downtown zoning district are as follows:

A. **Minimum Lot Size and Width.** The minimum lot size for any new parcels shall be five thousand square feet with a minimum width of fifty feet.

B. **Minimum Setbacks.** There are no setbacks required within the C-D district. However, where a parcel borders an R district, a minimum setback of five feet is required from the property line adjoining any residential parcel.

1. For all new commercial structures and for remodels or additions to existing buildings fronting on Main Street between Pilarcitos Creek and Correas Street, a zero front setback shall be encouraged to create a continuous line of building frontages provided however that greater setbacks are permitted if they provide enhanced active ground-floor dependent frontage uses including but not limited to sidewalk cafes, public plazas, or weather-protected alcove entrances of modest size.

C. **Maximum Height.** The maximum height permitted shall be thirty-six feet and three stories.

D. **Minimum Landscaping.** Landscaping shall be required within parking areas and elsewhere on the site as may be feasible and in keeping with landscaping on the surrounding properties, and shall be reviewed by the community development director or planning commission for all projects involving new construction or conversions.

E. Lot Coverage. Commercial, mixed-use, and multi-family residential buildings are not limited to a percentage coverage of C-D zoned sites; however, for any new construction, parking and any setback requirements shall dictate the area available for building. For residential uses in the C-D district, one-family and two-family residential structures are limited to thirty-five percent site coverage for multiple stories, and fifty percent site coverage for a single story.

FE. Residential Development. For mixed-use commercial and residential projects, residential units dwellings shall generally be located on the upper floors; however, the Planning Commission may consider mixed-use site plans with both residential and commercial uses on the ground floor, and two garage spaces shall be provided for each new dwelling unit, unless otherwise approved by the planning commission. For single-use residential development projects, minimum residential density shall be fifteen dwelling units per acre.

G. Location of Parking. On Heritage Main Street, parking facilities shall not be located along the Main Street frontage and, unless there is no feasible alternative, driveways to parking facilities shall not take access from Main Street.

H. Required Parking. Parking for single-family, duplexes, and triplexes shall comply with the standards of chapter 18.36. Parking for multi-family and mixed-use projects may be provided in garages, below-grade, at-grade under upper floors of development, in open parking lots, or a combination of locations pursuant to site plan review; and the required amount of parking to be provided shall be as follows:

1. Multi-family residential projects. For single-use residential projects with four or more residential units, the required amount of parking is one parking space per studio and one-bedroom unit; 1.5 parking spaces for units with two or more bedrooms; plus one guest space for each four units, with a minimum of one guest space.

2. Mixed-use projects. Parking provisions for the non-residential portion of mixed-use projects shall comply with chapter 18.36. For the residential portion of mixed-use projects, the required amount of parking is one parking space per studio and one-bedroom unit; 1.5 parking spaces for units with two or more bedroom; plus one guest space for each four units, with a minimum of one guest space. The total required amount of parking for mixed-use projects shall be the sum of that required for the non-residential and residential portions of the development with the following reductions allowed pursuant to planning commission review and approval:

a. Mixed-use shared-use reduction. Up to twenty percent reduction in the total required parking spaces may be allowed provided that the non-residential and residential uses have off-set peak parking demand periods, and the total amount of shared parking is adequate for the the combined peak demand period of the mixed-uses.

b. Mixed-use guest parking waiver. A portion or all of the required guest parking spaces may be waived if the project is located on Heritage Main Street between Pilarcitos Creek and Correas Street; and/or includes frontage improvements that increase public parking supply, pedestrian and/or bicycle access, public access to EV charging stations, or other public benefit to multi-modal and/or low emission circulation and parking within the C-D district.

**JF. Off-Site Parking.** Notwithstanding the provisions of this title, parking at an off-site location is encouraged at a distance no greater than three hundred feet from the development site.

1. In reviewing development proposals with an off-site parking area, the planning commission may approve an exception to allow a greater distance between the development site and parking area, if it is determined that it is not feasible to meet the suggested distance standard to comply with off-street parking requirements.
2. In approving an off-site parking location to support a proposed development, the planning commission shall require the recordation of a deed restriction, restrictive covenant, or other instrument to the satisfaction of the city attorney, ensuring that the parking area will remain available to serve the parking needs of the proposed development or use for as long as the development or use exists.
3. Any off-site parking area created pursuant to the provisions herein shall be landscaped and a solid fence or wall installed along adjoining property lines to the satisfaction of the planning commission. Any lighting shall be directed away from adjoining properties. (Ord. C-2019-03 §2(Exh. A)(part), 2019: 1996 zoning code (part)).

#### **18.07.045 Exceptions to development standards.**

A. **Legal Nonconforming Parcels.** Any parcel legally subdivided prior to the effective date of this chapter within any commercial district which does not meet the standards for minimum site area and width may nevertheless be developed without the need for a variance or exception, subject to compliance with the other development standards and regulations in this chapter.



B. New Parcels. The planning commission and or city council may approve an exception to development standards established in the sections above for each commercial district, in conjunction with the review of a lot line adjustment or subdivision, as may be applicable.

C. Development on Lots divided by District Boundaries. The regulations applicable to each district shall be applied to the area within that district; however, parking provisions serving a principal use on the site may be located in a district in which a parking lot is not permitted, or is a conditional use.

D. Exceptions to Maximum Height. Chimneys may exceed the maximum permitted building height in the district only as may be needed to comply with the Uniform Building Code.

E. Parking Exceptions. For all new construction, the requirements for off-street parking shall be met. For any additions to existing buildings, or conversions of existing buildings to a more intensive use, off-street parking spaces shall be provided as required for the new area or use, at a minimum, unless a parking exception is approved by the planning commission. This section shall not apply to changes in use as specified in section 18.36.020B. For conversions of existing buildings to a more intensive use, the planning commission shall ensure that the applicant has made every reasonable effort to provide the required off-street parking spaces designated for the use as specified in this title.

~~1.~~ When granting a parking exception in either the downtown commercial or commercial residential districts, the planning commission shall shall determine that the proposed exception is consistent with the policies of the Downtown Specific Plan; that the proposed number, size, configuration, and/or location of the parking spaces is as nearly in conformance with the standards contained in Chapter 18.36 as is reasonably possible, including conformance with ADA requirements and the provision of EV, bicycle, and motorcycle parking spaces; and the Planning Commission shall make at least one of the following findings:

~~a. The applicant has made every reasonable effort to provide the required number of parking spaces;~~

~~b. The applicant has submitted evidence to the planning commission that approval of a parking exception is necessary to ensure the economic viability of the project; or~~

1. That the proposed exception to the parking provisions will not be detrimental to the public welfare or injurious to property or improvements in the vicinity based on supporting evidence such as from a parking demand evaluation of anticipated parking requirements as presented in 18.36.040 or other assessment at the discretion of the Planning Commission; or

~~2. The planning commission finds that approval of the parking exception will ensure that an historic resource is retained or otherwise preserved or protected.~~

~~d. The planning commission has found that the proposed number, size, configuration, and/or location of the parking spaces is as nearly in conformance with the standards contained in Title 15 as is reasonably possible, and the granting of the parking exception is not contrary to the policies of the downtown specific plan. (1996 zoning code (part)).~~

#### **18.07.050 Nonconforming structures and uses.**

~~A.~~ Any existing structure legally constructed in accordance with the zoning code prior to the effective date of the ordinance codified in this chapter that is damaged by catastrophe such as fire, flood, explosion, wind, earthquake, war, riot, or other calamity may be replaced, restored, rebuilt, or repaired and used as before such event occurred provided that all of the following conditions are satisfied:

1. ~~A.~~ Any nonconforming height, setback encroachments or other nonconformity shall not be increased beyond that in existence prior to the damage occurring, unless a variance or exception is approved subject to the provisions of this title.
2. ~~B.~~ An application for a building permit to replace or repair a damaged or destroyed building shall be filed within twenty-four months after the event;
3. ~~C.~~ All applicable provisions of the Historic Building Code or Uniform Building Code adopted by the city at the time building permits are requested for the repair or reconstruction shall be incorporated into the plans. (1996 zoning code (part)).

~~B. Any nonconforming existing use legally established in accordance with the zoning code prior to the effective date of the ordinance codified in this chapter shall be subject to the provisions of chapter 18.25.~~

#### **18.07.055 Historic downtown area, structures and uses.**

A. Historic Downtown Area. The historic downtown area possesses character, interest and value as part of the heritage of the city. Preservation of those structures which exemplify historical architectural styles or which contribute to the historical fabric of the community within this area is essential to the integrity of the district.

1. Municipal Code Chapter 2.48 contains review criteria for the designation of a landmark or historic district. Any development within the historic downtown area shall also be in accordance with the policies for the Half Moon Bay historic downtown plan as well as the historic resources ordinance.

B. Historic Structures. Any proposal for alteration to a designated landmark shall be subject to the provisions below and the historic resources ordinance.



1. **Changes to Existing Structures.** Within the historic downtown area, alterations to existing structures and proposed demolition shall be subject to review by the planning commission who may consider the recommendation of any city council appointed advisory committee or commission, in order to protect the architectural and historical character of the area.

2. **Maintenance of Structures and Premises.** All property owners in the historic downtown area shall have the obligation to maintain structures and premises in good repair. Good repair includes and is defined as the level of maintenance that ensures the continued availability of the structure and premises for a lawfully permitted use, and prevents deterioration, dilapidation, and decay of the exterior portions of the structure and premises. Maintenance does not include a change in design, material or external appearance of a structure.

3. **Change of Use Within a Historic Structure.** Whenever a change of use is proposed within an historic structure, such as a conversion from residential use to commercial use, exceptions to the development standards in this chapter may be granted where applicable and necessary to maintain the historic integrity of the structure. The State Historical Building Code may be used in some cases, however, intensification of use may require safety measures to conform to the requirements of current Uniform Building Code.

C. **New Development.** New construction within the historic downtown area shall be reviewed for compliance with the following criteria:

1. The scale and style shall be similar to that of the predominant older structures.
2. There shall be continuity in building lines maintained along Main Street. (Ord. C-2019-03 §2(Exh. A)(part), 2019; 1996 zoning code (part)).

**18.07.060 Required permits and plan review.**

A. Building permits are required for any new construction, remodeling, or additions, except for fences which do not exceed the eight foot height limit.

B. Except as may be otherwise provided for in this chapter, a variance or exception shall be required for any project in any commercial district which does not meet the development standards and regulations of this chapter, or for projects which include proposals to extend existing nonconforming structures or conditions on the site.

C. The provisions of this title pertaining to architectural and site and design review shall be followed prior to the issuance of any building permits for which design review is required. (1996 zoning code (part)).

## Chapter 18.08 COMMERCIAL LAND USE (C-VS, C-G)

### Sections:

- 18.08.010 Purpose.
- 18.08.015 C-VS and C-G zoning districts established.
- 18.08.020 Permitted uses.
- 18.08.025 Use regulations.
- 18.08.030 General development standards.
- 18.08.035 C-VS zoning district standards.
- 18.08.040 C-G zoning district standards.
- 18.08.045 Exceptions to development standards.
- 18.08.050 Nonconforming structures.
- 18.08.055 Historic structures.
- 18.08.060 Required permits and plan review.

### 18.08.010 Purpose.

The purpose of establishing adopting these visitor serving commercial and general commercial districts and adopting development standards and use regulations is to:

- A. Guide the orderly development of lands designated on the land use plan map for visitor serving commercial and general commercial uses;
- B. Provide appropriately located areas consistent with the land use plan and general plan for a full range of office, retail commercial, service commercial, and visitor serving uses needed by residents of, and visitors to, the city and region;
- C. Strengthen and expand the city's economic base, while protecting the small businesses that currently serve city residents;
- D. Minimize the impact of commercial development on adjoining residential areas;
- E. Encourage new commercial, mixed-use, and residential development compatible with surrounding development and consistent with site limitations;
- F. Ensure the provision of adequate on-site parking, loading and circulation; and

G. Allow public and semipublic uses in commercial areas that are compatible with or supportive of commercial development. (1996 zoning code (part)).

**18.08.015 C-VS and C-G zoning districts established.**

The intent of this chapter is to establish the following commercial districts and to guide the orderly development within each district as follows:

A. C-VS District, Commercial--Visitor Serving. Recreational commercial areas that serve the needs of visitors attracted to coastal recreational opportunities, emphasizing ease of movement and attractiveness for the pedestrian while allowing safe and efficient movement of vehicles, having a consistent design theme, and protecting coastal resources. The intensity and nature of visitor serving commercial uses shall be subordinate to the character of the recreational setting and existing neighborhood character.

B. C-G District, Commercial--General. General commercial areas designated for the development of a full range of retail, service, commercial and professional office businesses mixed-use and multi-family residential use serving both residents and visitors to the city. (1996 zoning code (part)).

**18.08.020 Permitted uses.**

Tables 18.08.020A through E of this chapter establish the uses permitted in the visitor-serving commercial and general commercial districts.

A. The uses listed in Table 18.08.020A are numbered and categorized into types of uses. Definitions of each type of use are located within this title in Chapter 18.03, "Use Classifications." Uses that are not listed are prohibited within visitor-serving commercial and general commercial districts.

B. Use classifications followed by the term "OK" are permitted, whereas use classifications followed by the term "UP" require approval of a use permit. A use classification followed by the term "NO" means that the use is not permitted. In the event the community development director determines that a proposed use is not permitted, an applicant may appeal the determination to the planning commission. The letters "UPCC" mean that some or all uses in the use classification are permitted in most cases, but that approval of a use permit is required in certain cases.

C. Further description of the circumstances related to the "UPCC" listings in Tables 18.08.020A through E, and other specific regulations for certain uses listed in Tables 18.08.020A through E can be found in Section 18.08.025. The letters and numbers in Section 18.08.025 correspond to the use categories and specific uses listed in Tables 18.08.020A through E.

**Table 18.08.020A**

**COMMERCIAL USES**

C-VS Visitor-serving commercial zoning district

C-G General commercial zoning district

OK = Allowed without permit

UP Use permit required

NO = Not allowed

UPCC Use permit required under certain  
circumstances

Key	Commercial Uses	C-VS Zoning	C-G Zoning
A-1	Adult Business	NO	UP
A-2	Ambulance Service	NO	UPCC
A-3	Animal Sales or Service:		
a	• Boarding	NO	UP
b	• Grooming	NO	OK
c	• Medical Care	NO	OK
d	• Retail Sales	NO	OK
A-4	Art Gallery	OK	OK
A-5	Artist's Studio	UPCC	UPCC
A-6	Banking:		
a	• Full Service	NO	OK
b	• ATM Only	OK	OK
c	• Drive-Up Teller	NO	OK
A-7	Building Materials Sales or Service	NO	OK
A-8	Catering	NO	OK
A-9	Circus, Carnival or Exhibition	OK	OK
A-10	Commercial Filming	OK	OK

Key	Commercial Uses	C-VS Zoning	C-G Zoning
A-11	Commercial Recreation or Entertainment:		
a	• Indoor	NO	OK
b	• Outdoor	UPCC	UPCC
A-12	Communications Facility	NO	OK
A-13	Eating or Drinking Establishment:		
a	• Cafe, Diner or Restaurant	UP	OK
b	• Fast Food or Takeout	UP	OK
c	• Drive-Through Fast Food	UP	OK
d	• Bar or Tavern	UP	<del>OK</del> UP
A-14	Equestrian Center	UP	NO
A-15	Food or Beverage Sales	OK	OK
A-16	Funeral and Internment Service	NO	OK
A-17	Gardening Service	NO	OK
A-18	Laboratory	NO	OK
A-19	Maintenance or Repair Service	NO	OK
A-20	Nursery, Plant	NO	OK
A-21	Office:		
a	• Business or Professional	NO	OK
b	• Health Service	NO	OK
c	• Travel Agency	OK	OK
A-22	Personal Improvement Service	NO	OK
A-23	Personal Service	UP	OK
A-24	Printing or Publications Facility	NO	OK
A-25	Real Estate Sales Office	NO	OK
A-26	Research and Development	UP	OK

Key	Commercial Uses	C-VS Zoning	C-G Zoning
A-27	Retail Sales:		
a	• Indoor Retail	OK	OK
b	• Outdoor Retail	OK	OK
c	• Visitor-Serving Retail	OK	OK
A-28	Seasonal Agricultural Sales	OK	OK
A-29	Secondhand Sales, Pawn Shop	NO	OK
A-30	Vehicle/Equipment Sales or Service:		
a	• Automobile Rental	NO	OK
b	• Automobile Washing	NO	UPCC
c	• Service Station	NO	OK
d	• Vehicle or Equipment Repair	UP	OK
e	• Vehicle or Equipment Sale or Rental	UP	OK
f	• Vehicle Storage	UP	OK
A-31	Visitor Accommodation:		
a	• Bed and Breakfast Inn	OK	OK
b	• Campground or RV Park	UP	UP
c	• Hotel, Motel or Time Share	OK	OK
d	• Spa Resort	OK	OK
A-32	Warehouse or Storage	NO	UP

**Table 18.08.020B**

### **INDUSTRIAL USES**

C-VS Visitor-serving commercial zoning district

C-G General commercial zoning district

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain  
circumstances

Key	Industrial Uses	C-VS Zoning	C-G Zoning
B-1	Custom Industry	NO	OK
B-2	General Industry	NO	NO
B-3	Limited Industry	NO	UP
B-4	Wholesaling, Distribution or Storage	NO	UP

**Table 18.08.020C**

**PUBLIC AND QUASI-PUBLIC USES**

C-VS Visitor-serving commercial zoning district

C-G General commercial zoning district

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain  
circumstances

Key	Public and Quasi-Public Uses	C-VS Zoning	C-G Zoning
C-1	Club or Lodge	UP	OK
C-2	Convalescent Facility	NO	OK
C-3	Cultural Institution	OK	OK
C-4	Day Care, General	NO	UP
C-5	Government Office	OK	OK
C-6	Health Care:		
a	• Hospital or Clinic	NO	UP
b	• Emergency Health Care	NO	OK
C-7	Park or Recreation Facility	OK	OK
C-8	Public Safety Facility	OK	OK

Key	Public and Quasi-Public Uses	C-VS Zoning	C-G Zoning
C-9	Religious Assembly	NO	UP
C-10	Residential Care, General	NO	UP
C-11	School, Public or Private	NO	UP
C-12	Utility:		
a	• Major	NO	UP
b	• Minor	OK	OK

**Table 18.08.020D**

**RESIDENTIAL USES**

C-VS Visitor-serving commercial zoning district

C-G General commercial zoning district

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain  
circumstances

Key	Residential Uses	C-VS Zoning	C-G Zoning
D-1	Group Residential	NO	OK
D-2	Large Family Day Care	OK	OK
D-3	Small Family Day Care	OK	OK
D-4	Limited Residential Care	OK	OK
D-5	Multi-Family Residential	NO	<u>OKUP</u>
D-6	Single-Family Residential	UP	<u>OKUP</u>

**Table 18.08.020E**

**ACCESSORY USES**



C-VS Visitor-serving commercial zoning district

C-G General commercial zoning district

OK = Allowed without permit

UP = Use permit required

NO = Not allowed

UPCC = Use permit required under certain  
circumstances

Key	Accessory Uses	C-VS	C-G
		Zoning	Zoning
E-1	Accessory Use or Structure	OK	OK
E-2	Accessory Dwelling Unit	OK	OK
E-3	Mixed Commercial and Residential	UP	OKUP

(Ord. C-2018-4 §2(Att. A)(part), 2018; Ord. C-2016-03 §5(part), 2016; Ord. C-2015-04 §1(part), 2015; 1996 zoning code (part)).

#### 18.08.025 Use regulations.

The following use categories and any additional regulations associated with an identified use are to be taken together with the permit requirements listed for each use classification in Tables 18.08.020A through E. These regulations shall apply to both permitted uses and for uses which are only allowed upon approval of a use permit by the planning commission.

#### A. Commercial Uses.

A-1 Adult Business. No adult business may be located within one thousand feet of another adult business, or within five hundred feet of any R district, any public or private school or day care facility for children, or any park or recreation facility.

A-2 Ambulance Service. A use permit is required only where a proposed ambulance service would be located within one thousand feet of an R district or fifty feet of a site occupied by a public or private school or a park or recreation facility.

A-3 Animal Sales or Service. No additional regulations specified.

A-3 a. Boarding. All kennels shall be maintained in accordance with the San Mateo County humane society regulations, and shall comply with all conditions of the use permit. If the facility is not in compliance with the humane society regulations or use permit conditions at any time, the use

permit may be revoked. The boarding of horses shall be subject to the use regulations contained in this section under "equestrian centers."

A-3 b. Grooming. No additional regulations specified.

A-3 c. Medical Care. No additional regulations specified.

A-3 d. Retail Sales. The sale of domestic animals is allowed as an incidental use to any permitted use.

A-4 Art Gallery. No additional regulations specified.

A-5 Artist's Studio. A studio where the artist works, displays, and sells artwork is permitted. In those cases where the artist lives on the premises and maintains an active studio or sales operation, a use permit is required.

A-6 Banking. No additional regulations specified.

A-6 a. Full Service. No additional regulations specified.

A-6 b. ATM Only. In the C-VS district, an ATM (automatic teller machine) is permitted only as an incidental use to a permitted use.

A-6 c. Drive-Up Teller. No additional regulations specified.

A-7 Building Materials Sales or Service. Activities shall be conducted and materials shall be stored within a building or shall be enclosed by a fence, wall or permanent planting at least six feet in height. Milling or planing of lumber or other wood products is prohibited unless incidental to a retail use or contractor's yard.

A-8 Catering. Catering businesses may be permitted in conjunction with a residential use subject to approval by the San Mateo County environmental health department.

A-9 Circus, Carnival or Exhibition. Such uses, including street fairs and markets on city streets are permitted upon approval of special events permit. The event may be in one location no longer than two weekend days over two consecutive weekends, unless otherwise permitted by the city council in conjunction with the special events permit. Signs advertising the event shall be approved by the city council in conjunction with the approval of the special events permit.

A-10 Commercial Filming. Commercial filming is permitted upon securing all necessary permits and licenses required by the municipal code.

A-11 Commercial Recreation or Entertainment. No additional regulations specified.

A-11 a. Indoor. In the C-G district, electronic game centers shall not be located within three hundred feet of a school site or the boundary of a residential district, or within five hundred feet of a liquor store, cocktail lounge or bar. At least one adult manager shall be on the premises during the time a game center is open to the public. No game center owner, manager or employee shall allow a minor under eighteen years of age to play game machines during the hours the public schools are open, or after nine p.m. on nights preceding school days. The planning commission may impose restrictions on the design, location and operation of a game center in order to minimize the effects of noise, congregation, parking, and other nuisance factors that may be detrimental to the community.

A-11 b. Outdoor. In the C-G district, the establishment of a golf course requires approval of a use permit.

A-12 Communication Facility. No additional regulations specified.

A-13 Eating or Drinking Establishment. No additional regulations specified.

A-13 a. Cafe, Diner or Restaurant. In C-VS districts, sidewalk cafes and outdoor food service on a temporary basis shall be subject to approval by the community development director. A use permit is required in order to establish permanent or recurring outdoor food service and shall be subject to architectural, landscape, and site plan review. A use permit is required for cabarets with live entertainment within the C-VS districts.

A-13 b. Fast Food or Takeout. Identifiable containers and napkins shall be used for all carry-out food, and all litter resulting shall be promptly removed.

A-13 c. Drive-Through Fast Food. No additional regulations specified.

A-13 d. Bar or Tavern. No additional regulations specified.

A-14 Equestrian Center. Grooming and incidental sales of horses and equestrian supplies are permitted. Animal shows are permitted by use permit. New equestrian facilities shall be located near proposed county trail systems in upland areas east of Highway One or on sites where the coastal terrace is broad enough to accommodate such use without conflicts with public

recreation. All stables shall be maintained in accordance with the San Mateo County humane society regulations, and shall comply with all conditions of the use permit. If the facility is not in compliance with the humane society regulations or use permit conditions at any time, the use permit may be revoked.

A-15 Food or Beverage Sales. In C-VS districts, food and beverage sales must be ancillary to approved recreational uses.

A-16 Funeral or Internment Service. No additional regulations specified.

A-17 Gardening Service. No additional regulations specified.

A-18 Laboratory. In C-VS districts, laboratories shall be limited to research related to oceanographic, fisheries, and/or coastal resource management.

A-19 Maintenance or Repair Service. No additional regulations specified.

A-20 Nursery, Plant. Outdoor storage and display is limited to plants and garden features such as statues, fountains and benches. All merchandise must be kept in an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only.

A-21 Office. In C-VS districts, only those office uses which are auxiliary functions of visitor-serving establishments are permitted.

A-21 a. Business or Professional. In the C-G district, professional and other business offices providing the following services are permitted: accountancy, architectural, construction and/or contracting, design, engineering, and legal services, insurance and travel agencies, investment services other than banks, savings and loans, such as mortgage, stocks and commodities brokerages, and similar consulting or business services.

A-21 b. Health Service. In the C-G district, health service offices or clinics offering medical or dental services, including laboratories incidental to these uses, and therapeutic services such as massage, chiropractic and psychiatric therapy are permitted.

A-21 c. Travel Agency. In the C-VS district, travel services are permitted only where incidental to a permitted use.

A-22 Personal Improvement Service. No additional regulations specified.

A-23 Personal Service. In the C-VS district, personal services may be permitted only where they are an auxiliary function of a visitor serving establishment.

A-24 Printing or Publication Facility. No additional regulations specified.

A-25 Real Estate Sales Office. No additional regulations specified.

A-26 Research and Development. In the C-VS district, only research related to oceanographics, fisheries, and/or coastal resource management is permitted.

A-27 Retail Sales. No additional regulations specified.

A-27 a. Indoor Retail. Display of products usually sold inside a building on a commercial site may be permitted outside the building on a temporary or occasional basis, subject to approval by the community development director. In the C-VS district, indoor sales shall be limited to visitor-oriented sales.

A-27 b. Outdoor Retail. Outdoor display of merchandise on a temporary basis shall be subject to approval by the community development director. Permanent outdoor sales operations, such as flower and produce stands, hot dog carts, coffee/pastry stands, T-shirts, outdoor furniture gardens, are permitted on an ongoing basis only if located on private property and not on city or state right-of-way, and only after (1) receiving a determination by the planning commission that the proposed use and operational characteristics are consistent with the underlying zoning designation and development standards, and (2) securing approval of a business license in accordance with the provisions of the municipal code. In the C-VS district, outdoor sales shall be limited to visitor oriented sales.

A-27 c. Visitor-Serving Retail. In a C-VS district, this category is limited to retail sales directly related to visitors attracted to the city's coastal recreational opportunities such as boating and fishing supplies, equestrian supply stores, surf shops, the incidental sale of merchandise at recreational vehicle campsites and golf courses, and related uses.

A-28 Seasonal Agricultural Sales. Fruit, vegetable and Christmas tree sales are permitted for a period of forty-five days, and shall be subject to the requirements of municipal code Chapter 3.73. The community development director shall impose reasonable conditions upon the establishment to ensure adequate parking, safe and convenient traffic circulation, and that minimum health and safety standards are met.

A-29 Second Hand Sales, Pawn Shop. No additional regulations specified.

A-30 Vehicle or Equipment Sales and Service. No additional regulations specified.

A-30 a. Automobile Rental. No additional regulations specified.

A-30 b. Automobile Washing. A use permit is required in order to establish self-service and full-service operations and shall be subject to architectural, landscape, and site plan review.

A-30 c. Service Station. All auto, truck and equipment repair and service facilities shall be appropriately landscaped and maintained. Inoperative vehicle storage on the premises is prohibited. Operative vehicles and/or equipment stored on the premises shall be screened from public view. Display racks for automobile products no more than four feet wide may be maintained at each pump island of a service station, or within three feet of the main building, and shall be limited to one per street frontage. These uses are not permitted in a C-VS district.

A-30 d. Vehicle or Equipment Repair. Repair shops such as auto body and painting, fender work, upholstery and detailing, and major auto repairs shall be appropriately landscaped and maintained. Conditions of approval of a use permit may require buffering, screening, planting areas or limits on the hours of operation to avoid adverse impacts on properties in the surrounding area. Inoperative vehicle storage on the premises is prohibited, and operative vehicles and/or equipment stored on the premises shall be screened from public view.

A-30 e. Vehicle or Equipment Sales or Rental. In the C-VS district, sales shall be limited to marine equipment and parts used for recreational vehicles other than motor homes such as boats, jet skis and vehicles used to transport horses or which are designed to be transported by horses. Marine vehicles may be rented in the C-VS district. Outdoor storage and display shall be limited to vehicles, boats or equipment offered for sale or rent only.

A-30 f. Vehicle Storage. In the C-VS district, vehicular storage shall be limited to the storage of recreational vehicles and water-oriented vehicles. All vehicle storage facilities shall be enclosed by a six foot high fence and all vehicles shall be screened from view.

A-31 Visitor Accommodation. No additional regulations specified.

A-31 a. Bed and Breakfast Inn. No additional regulations specified.

A-31 b. Campground or RV Park. Landscaping at recreational vehicle parks shall be fully matured within five years of development to assure full screening from public roads, vista points, public recreation areas and residential areas.

A-31 c. Hotel, Motel or Time Share. Within the C-VS district, hotel, motel and time shares are permitted only if the number of bedrooms does not exceed thirty-six per net acre of the building site area. Living rooms in suites shall be considered bedrooms for purposes of this calculation.

A-32 Warehouse or Storage. Only warehousing/storage area having two thousand five hundred square feet or less, that is incidental to commercial use, is permitted within an enclosed building. Mini-storage or self-storage facilities may be permitted in the C-G district only by approval of a use permit and shall be subject to architectural, landscape, and site plan review.

**B. Industrial Uses.**

B-1 Custom Industry. Small scale custom industries such as ceramic studios, candle-making shops and custom jewelry manufacturing which may also sell goods produced on-site directly to customers are permitted in the C-G district.

B-2 General Industry. No additional regulations specified.

B-3 Limited Industry. No additional regulations specified.

B-4 Wholesaling, Distribution or Storage. No additional regulations specified.

**C. Public and Quasi-Public.**

C-1 Club or Lodge. In the C-VS district, only yacht clubs or clubs catering to visitor-serving commercial uses shall be permitted.

C-2 Convalescent Facility. City, county and state permits or licenses must be obtained prior to establishing the use. The Half Moon Bay fire protection district shall review and approve all aspects of the use prior to the issuance of building permits.

C-3 Cultural Institution. No additional regulations specified.

C-4 Day Care, General. All required city, county and state permits or licenses must be obtained prior to establishing the use. The Half Moon Bay fire protection district shall review and approve all aspects of the use prior to the issuance of building permits.

C-5 Government Office. In a C-VS district, these uses shall be limited to those that, as determined by the community development director, involve the regulation or study of natural or oceanographic processes, private or recreational fishing, aquaculture, or shoreline recreation.



C-6 Health Care. No additional regulations specified.

C-6 a. Hospital or Clinic. No additional regulations specified.

C-6 b. Emergency Health Care. No additional regulations specified.

C-7 Park or Recreation Facility. In the C-VS district, this use includes public parking for shoreline access and recreation, public restrooms, parks and visitor information centers. Development unrelated to on-site recreational activities shall not be permitted in publicly owned recreational areas, with the exception of the state park administrative and maintenance operations located at Half Moon Bay state beach. Parking facilities and recreational structures, including campers, located in public regional recreational areas, private recreational areas, visitor-serving commercial areas and other developments shall be designed to minimize visibility from the beach.

C-8 Public Safety Facility. No additional regulations specified.

C-9 Religious Assembly. No additional regulations specified.

C-10 Residential Care, General. No additional regulations specified.

C-11 School, Public or Private. No additional regulations specified.

C-12 Utility. No additional regulations specified.

C-12 a. Major. All public utility substations shall be enclosed by a solid fence or wall a minimum of six feet in height. The planning commission may approve alternative screening such as a hedge or other plant materials, where appropriate to the design and location in relationship to other properties.

C-12 b. Minor. No additional regulations specified.

D. Residential Uses.

D-1 Group Residential. No additional regulations specified.

D-2 Large Family Day Care. No additional regulations specified.

D-3 Limited Day Care. No additional regulations specified.

D-4 Limited Residential Care. No additional regulations specified.

D-5 Multi-Family Residential. No additional regulations specified.

D-6 Single-Family Residential. No residential uses are permitted in the C-VS district unless ancillary to a permitted use and upon the approval of a use permit in each case.

E. Accessory Uses.

E-1 Accessory Use or Structure. Accessory uses and structures are permitted when they are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site. Accessory uses to a residential use would include home occupations and garage sales. Accessory uses for retail or office uses would include storage incidental to a permitted use. Accessory structures such as garages or storage and maintenance sheds are permitted.

E-2 Accessory Dwelling Unit. No additional regulations specified.

E-3 Mixed Commercial and Residential. No residential uses are permitted as part of mixed-use development in the C-VS district unless ancillary to a permitted use and upon the approval of a use permit in each case. In the C-G district, No additional regulations specified. (Ord. C-2019-03 §2(Exh. A)(part), 2019; Ord. C-2018-04 §2(Att. A)(part), 2018; Ord. C-2015-04 §1(part), 2015; 1996 zoning code (part)).

**18.08.030 General development standards.**

A. Residential Development.

1. As Primary Use of Property. When a C-VS or C-G zoned site is developed primarily for residential use, the dwelling unit(s) shall be subject to the standards for tenant and guest parking spaces, minimum setbacks, floor area ratio, lot coverage, maximum height limits, landscaping, fences, and usable open space as specified in this title for the proposed residential dwelling type.

2. As Secondary Use of Property. When a C-VS or C-G zoned site is developed with nonresidential use(s) and residential use is proposed, or when a mixed residential/ nonresidential project is proposed, the setbacks, floor area ratio, lot coverage and maximum height limits required within the residential districts shall not be imposed. However, such development shall be subject to the requirements for parking spaces, landscaping, fences and usable open space for the proposed type of dwelling as specified in this title.

B. Minimum Site Area and Width. The standards for minimum site area and width are established for each commercial district in this chapter. Existing legal parcels created before the effective date of this

chapter are not subject to these minimum area and width requirements. Only new subdivisions of existing parcels shall be subject to the minimum site and area requirements.

C. **Site Coverage.** Commercial buildings and mixed use buildings are not limited to a percentage coverage of commercially zoned sites, however, for any new construction, parking requirements shall dictate the area available for building. For residential uses in a commercial district, one-family and two-family residential structures are limited to thirty-five percent site coverage for multiple stories, and fifty percent site coverage for a single story. A maximum site coverage of thirty-five percent shall be permitted for multiple-family (three or more units) residential structures. These standards are not applicable to mixed-use projects.

D. **Exterior Noise Limit.** Sound levels measured at the property line of the lot where the lot borders on R, OS, UR or OSR district, or along any property boundary in the C-VS district, may not exceed the following levels:

<b>MAXIMUM NOISE LEVEL</b>			
<b>Time of Day</b>	<b>More than 30 minutes/hour</b>	<b>More than 5 minutes/hour</b>	<b>At any time</b>
7 a.m. to 10 p.m.	60 dBA	70 dBA	80 dBA
10 p.m. to 7 a.m.	55 dBA	65 dBA	75 dBA

E. **Off-Street Parking Plans.** A parking plan which meets the development standards for off-street parking requirements contained in this title shall be submitted with each project for new development or addition of floor area, or whenever plans are submitted for a use conversion which will result in an intensification of use. The plan will be reviewed for conformance with standards for parking spaces and aisles, location, units of measurement, and other standards as may be applicable.

F. **Landscaping.** A landscaping plan is required for all new construction or extensive remodel projects within the C-VS or C-G commercial districts, and shall be in conformance with design criteria contained in this title and the city's current water-efficient landscaping program.

1. All planting areas, plant materials, and irrigation shall conform with the guidelines in the city's current water efficient landscaping program.

2. No landscaping may impede, block, obstruct or otherwise be allowed to grow over a public sidewalk or other form of public or private access way such as a street, sidewalk or road. Trees

and shrubs shall be maintained in such a manner as to provide adequate, clear site distance for traffic safety on public or private sidewalks, street, road or rights-of-way.

3. Parking lots shall have perimeter landscaping areas and interior landscaping areas distributed throughout the parking lot. The landscaped areas shall have a minimum width of two feet, separated from the parking lot paving by a six inch curb. A minimum of one tree for every six spaces shall be distributed throughout the parking lot.

G. Signs. Each project shall comply with the sign regulations contained in Titles 15 and 18. Prior to installation, all new signs shall be reviewed and approved by the community development director who may consider the recommendation of any city council appointed advisory committee or commission.

H. Fences. The height of a fence, wall or hedge shall be measured vertically from the natural or finished existing grade, whichever is lower, from the base to the top of the fence, wall or hedge above that grade. The following specific criteria shall apply:

1. Along rear or side property lines, a maximum fence height of eight feet is permitted.
2. Where the side or rear property line adjoins a residential property, a fence having a minimum height of six feet shall be installed along that property line.
3. A solid wall or fence within fifteen feet of a street property line shall not exceed three feet in height. The community development director may approve an increased fence height to four feet if the fence materials have openings comprising at least fifty percent. In no case may a fence in this area exceed four feet in height.

a. A lower fence height limit may be imposed by the community development director, if it is determined that the fence would: (a) obstruct visibility thereby negatively impacting traffic safety, or (b) obscure an approved sign advertising a business on an adjoining property.

4. A solid masonry or concrete wall at least six feet in height shall be installed along any property line shared by a nonresidential site and the site of an existing ground-floor residential use, unless there is a ten foot landscaped buffer area on the commercial site. If a nonresidential building has a zero setback and has no openings along the adjoining property lines, no wall needs to be installed along the length of the building. As part of development approval, a lower fence height limit or alternate materials may be considered by the planning commission or community development director, if it is determined that the standard wall or landscape buffer is unnecessary to protect residential privacy or quiet enjoyment.

I. Refuse Storage Areas. For all nonresidential and multifamily residential projects, recyclable materials and refuse storage area shall be provided prior to occupancy, either inside a building or within a trash enclosure, as specified in this title.

J. Residential Storage Areas: For each residential unit in new multi-family or mixed-use development, a minimum of sixty (60) cubic feet of enclosed, lockable storage space shall be provided outside of the unit. The storage space may be within a fully enclosed garage or other parking area, provided that the storage space is in addition to the parking space(s) required. The storage space is in addition to any secured storage space required for bicycle parking. The storage space may also be located off of a patio, balcony, or deck provided that it is in addition to the private open space required, is in an enclosed space, and does not negatively impact building or landscape design.

~~KJ.~~ Accessory Dwelling Units. All accessory dwelling units in these commercial districts must comply with the regulations contained in this title.

~~LK.~~ Satellite Antennas. All satellite antennas shall meet the standards and regulations contained in this title.

~~ML.~~ Underground Utilities. All new electrical, telephone and similar distribution lines providing direct service to a commercial site, and any existing services on the site shall be installed underground within the site unless such installation is deemed to be not feasible by the planning commission.

~~NM.~~ Screening. All outdoor storage and display areas shall be screened from view by a solid fence or wall, unless otherwise approved by the community development director or planning commission. Mechanical equipment and utility meters shall be screened from view from public rights-of-way. Screening materials may have evenly distributed openings or perforations averaging fifty percent of the surface area, as long as the mechanical equipment is screened so that it is not visible from a street or adjoining lot.

~~ON.~~ Performance Standards. No activity on a commercial site may produce vibration, dust, odors, heat and humidity, electromagnetic interference which are perceptible without instruments by a reasonable person at the property lines of a site. Mirrors or highly reflective glass shall not cover more than twenty percent of a building surface visible from a street, unless an applicant submits information demonstrating that use of such glass would not significantly increase glare visible from adjacent streets or pose a hazard for moving vehicles. Combustibles, explosives, radioactive materials and hazardous materials shall comply with HMBFPD fire prevention codes, California hazardous materials regulations, and/or any other applicable laws.

**PO.** Coastal Resource Conservation Standards. The standards and regulations contained in this title for habitat conservation, archaeological resource conservation, coastal access, scenic corridors, and community visual resources shall be met for each project.

**QP.** Architectural and Site and Design Review. The standards and review process contained in this title shall be met for each project.

**RQ.** Coastal Development Permit. The requirements contained in this title for a coastal development permit shall be met for each project which is subject to those requirements. (Ord. C-2019-03 §2(Exh. A)(part), 2019; Ord. C-2018-04 §2(Att. A)(part), 2018; Ord. C-2015-04 §1(part), 2015; 1996 zoning code (part)).

**18.08.035 C-VS zoning district standards.**

- A. Minimum Lot Size and Width. The minimum lot size shall be ten thousand square feet with a minimum width of one hundred feet.
- B. Minimum Setbacks. The front yard setback shall be a minimum of twenty feet, the rear and side yard setbacks shall be a minimum of ten feet each. Where a parcel borders an R district, a minimum setback of twenty feet is required from the property line adjoining any residential parcel. Within this setback, the ten foot width nearest the residential parcel shall be landscaped.
- C. Maximum Height. The maximum building height permitted shall be thirty-six feet and three stories.
- D. Minimum Landscaping. A total of fifteen percent of the site shall be landscaped.
- E. Residential Development. For mixed commercial/ residential projects, dwellings shall be on the upper floors and two garage spaces shall be provided for each new dwelling unit, unless otherwise approved by the planning commission. (1996 zoning code (part)).

**18.08.040 C-G zoning district standards.**

- A. Minimum Lot Size and Width. The minimum lot size shall be ten thousand square feet with a minimum width of one hundred feet.
- B. Minimum Setbacks. The front yard setback shall be a minimum of twenty-five feet, the rear and side yard setbacks shall be a minimum of ten feet each. Where a parcel borders an R district, the five foot width nearest the residential parcel shall be landscaped. A solid masonry wall of at least six feet in height shall be installed adjacent to any R district.
- C. Maximum Height. The maximum building height permitted shall be thirty-six feet and three stories.

D. Minimum Landscaping. A total of ten percent of the site shall be landscaped. Landscaping shall be in keeping with landscaping on the surrounding properties, and shall be reviewed as part of the associated discretionary permit for all projects involving new construction or conversions.

E. Residential Development. For mixed-use commercial/residential projects, dwellings/residential units shall generally be located on the upper floors; however, the Planning Commission may consider mixed-use site plans with both residential and commercial uses on the ground floor. ~~and two garage spaces shall be provided for each new dwelling unit, unless otherwise approved by the planning commission. For single-use residential development projects, minimum residential density shall be fifteen dwelling units per acre.~~

F. Required Parking. Parking for single-family, duplexes, and triplexes shall comply with the standards of chapter 18.36. For mixed-use and multi-family residential projects, two parking spaces shall be provided for each new dwelling unit and at least one of the required parking spaces per unit shall be a garage space. For projects with three or more residential units, one guest space for each four units, with a minimum of one guest space, shall be provided for each unit. Parking provisions for the non-residential portion of mixed-use projects shall comply with chapter 18.36.

~~GF.~~ Off-Site Parking. Parking may be located on an off-site location, at a distance no greater than three hundred feet from the development site.

1. In reviewing development proposals with an off-site parking area, the planning commission may approve an exception to allow a greater distance between the development site and parking area, if it is determined that it is not feasible to meet the maximum distance requirement, to comply with off-street parking requirements.

2. In approving an off-site parking location to support a proposed development, the planning commission shall require the recordation of a deed restriction, restrictive covenant, or other instrument to the satisfaction of the city attorney, ensuring that the parking area will remain available to serve the parking needs of the proposed development or use for as long as the development or use exists.

3. Any off-site parking area created pursuant to the provisions herein shall be landscaped, and a solid fence or wall shall be installed along adjoining property lines if deemed necessary, to the satisfaction of the ~~architectural review committee and~~ planning commission. Any lighting shall be directed away from adjoining properties. (Ord. C-2019-03 §2(Exh. A)(part), 2019; 1996 zoning code (part)).



**18.08.045 Exceptions to development standards.**

A. Legal Nonconforming Parcels. Any parcel legally subdivided prior to the effective date of this chapter within any commercial district which does not meet the standards for minimum site area and width may nevertheless be developed without the need for a variance, subject to compliance with the other development standards and regulations in this chapter.

B. New Parcels. The planning commission and/or city council may approve an exception to development standards established in the sections above for each commercial district, in conjunction with the review of a lot line adjustment or subdivision, or variance as may be applicable.

C. Development on Lots divided by District Boundaries. The regulations applicable to each district shall be applied to the area within that district; however, parking provisions serving a principal use on the site may be located in a district in which a parking lot is not permitted, or is a conditional use.

D. Exceptions to Maximum Height. Chimneys may exceed the maximum permitted building height in the district only as may be needed to comply with the Uniform Building Code.

E. Parking Exceptions. For all new construction, the requirements for off-street parking shall be met. For any additions to existing buildings, or conversions of existing buildings to a more intensive use, off-street parking spaces shall be provided as required for the new area or use, at a minimum, unless a parking exception is approved by the planning commission. ~~For conversions of existing buildings to a more intensive use, the planning commission shall ensure that the applicant has made every reasonable effort to provide the required off-street parking spaces designated for the use as specified in this title.~~

When granting a parking exception in either the general commercial or visitor-serving commercial districts, the planning commission shall determine that the proposed number, size, configuration, and/or location of the parking spaces is as nearly in conformance with the standards contained in Chapter 18.36 as is reasonably possible, including conformance with ADA requirements and the provision of EV, bicycle, and motorcycle parking spaces; and the Planning Commission shall make the at least one of the additional following findings:

- ~~a. The applicant has made every reasonable effort to provide the required number of parking spaces;~~
- ~~b. The applicant has submitted evidence to the planning commission that approval of a parking exception is necessary to ensure the economic viability of the project; or~~
- 1. That the proposed exception to the parking provisions will not be detrimental to the public welfare or injurious to property or improvements in the vicinity based on supporting evidence such as from a parking demand evaluation of anticipated parking requirements as presented in 18.36.040 or other assessment at the discretion of the Planning Commission; or

~~1.2. The planning commission finds that~~ approval of the parking exception will ensure that an historic resource is retained or otherwise preserved or protected ~~and~~

~~d. The planning commission has found that the proposed number, size, configuration, and/or location of the parking spaces is as nearly in conformance with the standards contained in Title 15 as is reasonably possible. (1996 zoning code (part)).~~

#### **18.08.050 Nonconforming structures.**

Any existing structure legally constructed in accordance with the zoning code prior to the effective date of the ordinance codified in this chapter that is damaged by catastrophe such as fire, flood, explosion, wind, earthquake, war, riot, or other calamity may be replaced, restored, rebuilt, or repaired and used as before such event occurred provided that all of the following conditions are satisfied:

- A. Any nonconforming height, setback encroachments or other nonconformity shall not be increased beyond that in existence prior to the damage occurring, unless a variance is approved subject to the provisions of this title.
- B. An application for a building permit to replace or repair a damaged or destroyed building shall be filed within twenty-four months after the event;
- C. All applicable provisions of the Uniform Building Code adopted by the city at the time building permits are requested for the repair or reconstruction shall be incorporated into the plans. (1996 zoning code (part)).

#### **18.08.055 Historic structures.**

Any proposal for alteration to a designated landmark shall be subject to the provisions below and the historic resources ordinance.

A. **Changes to Existing Structures.** Alterations to existing historic structures and proposed demolition shall be subject to review by the planning commission who may consider the recommendation of any city council appointed advisory committee or commission, in order to protect the architectural and historical character.

B. **Maintenance of Structures and Premises.** All property owners of historic structures shall have the obligation to maintain structures and premises in good repair. Good repair includes and is defined as the level of maintenance that ensures the continued availability of the structure and premises for a lawfully permitted use, and prevents deterioration, dilapidation and decay of the exterior portions of the structure

and premises. Maintenance does not include a change in design, material or external appearance of a structure.

C. **Change of Use Within a Historic Structure.** Whenever a change of use is proposed within an historic structure, such as a conversion from residential use to commercial use, exceptions to the development standards in this chapter may be granted where applicable. The state Historical Building Code may be used in some cases, however, intensification of use may require safety measures to conform to the requirements of current Uniform Building Code. (Ord. C-2019-03 §2(Exh. A)(part), 2019; 1996 zoning code (part)).

**18.08.060 Required permits and plan review.**

A. Building permits are required for any new construction, remodeling, or additions, except for fences which do not exceed the height limit.

B. Except as may be otherwise provided for in this chapter, a variance or exception shall be required for any project in any commercial district which does not meet the development standards and regulations of this chapter, or for projects which include proposals to extend existing nonconforming structures or conditions on the site.

C. The provisions of this title pertaining to architectural and site and design review shall be followed prior to the issuance of any building permits for which design review is required. (1996 zoning code (part)).

## **Chapter 18.36 PARKING STANDARDS**

### **Sections:**

- 18.36.005 Intent and purpose.**
- 18.36.010 General provisions.**
- 18.36.015 Definitions.**
- 18.36.020 Change in use--Increase in number of parking spaces.**
- 18.36.025 Mixed use occupancies and uses not specified.**
- 18.36.030 Joint use of facilities.**
- 18.36.035 Nonconforming parking.**
- 18.36.040 Off-street parking facilities--Required number of parking spaces, size and access standards, and parking for disabled individuals.**
- 18.36.045 Off-street loading requirements.**
- 18.36.050 Guest parking spaces in residential developments and mobile home parks.**
- 18.36.055 Off-street parking facilities--Required improvements.**
- 18.36.060 Parking spaces in residential district front yards.**
- 18.36.065 Off-street parking on a separate lot.**
- 18.36.070 Bicycle parking.**
- 18.36.075 Plans to accompany building permit application.**
- 18.36.080 Parking exceptions.**

### **18.36.005 Intent and purpose.**

The intent and purpose of this chapter is to implement reasonable requirements and design standards for off-street vehicle parking in all zoning districts in the city. (Ord. C-2013-05 §1(part), 2013).

### **18.36.010 General provisions.**

Except as may otherwise be provided for in this chapter or as may be approved by the community development director, planning commission, and/or city council, the following general provisions shall guide the application of off-street parking requirements and design standards contained in this chapter:

- A. The provision and maintenance of required off-street parking and loading spaces is a continuing obligation of the property owner.
- B. No building permit or other development permit shall be issued until plans are presented that show property that is and will remain available for exclusive use of off-street parking and loading spaces. The subsequent use of property for which the building permit is issued shall be conditional upon the

unqualified continuance and availability of the amount of parking and loading space required by this title or as may otherwise be approved by the city. Any use of the property in violation hereof shall be a violation of this title.

C. Off-street parking spaces required in connection with all other uses except single-family, duplex and triplex residential uses permitted in all zoning districts may be open or uncovered and shall be provided on the same building site as the main building, except as may be provided for in this chapter. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of delivery or service trucks used in conducting the business or use. Delivery or service trucks may be parked or stored in designated loading spaces.

D. Off-street parking for all residential uses in any zoning district shall be provided in private garages or enclosed carports except as otherwise specified for mixed-use and multi-family development in the C-D, C-R, C-G, C-VS districts. All required garages or enclosed carports shall be located on the same lot or building site as the buildings they are required to serve. All required enclosed carports for residential uses shall be kept free, clear and accessible for the parking of vehicles at all times.

E. When units of measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.

F. Required parking spaces shall be improved as required by this chapter and made available for use before the final inspection is completed and a certificate of occupancy is issued.

G. Parking facilities shall be provided for all new construction as required by this title, but parking for the conversion of existing buildings to a more intensive use shall be provided as near to the requirements as is practicable. (Ord. C-2015-04 §1(part), 2015; Ord. C-2013-05 §1(part), 2013).

#### **18.36.015 Definitions.**

A. For the purpose of this chapter, "floor area" in the case of medical, dental or other professional offices, retail and merchandising or service uses, means the gross floor area inside the perimeter walls of a building or site to be used, or intended to be used, for service to the public as customers, patrons, clients, patients or as tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise. It shall not include areas used principally for nonpublic purposes such as storage, incidental repair, processing or packaging of merchandise, show or display windows, for delineated office area incidental to the management or maintenance of retail stores or service uses, for toilet rooms or restrooms, for rooms used for utilities, or for dressing rooms, fitting or alteration rooms.

B. For the purpose of this chapter, "floor area" in the case of bars, cabarets, cafes, cocktail lounges and restaurants is defined as the gross floor area inside the perimeter building walls to be used, or intended to be used, for service to patrons, and excluding nonpublic areas used for incidental office uses by the restaurant manager; restrooms; cooking, food preparation, and storage areas; hallways from the public areas to the nonpublic areas; or areas occupied by permanent fixtures used for the display or sale of food products.

C. For the purpose of this chapter, "floor area" in the case of light industrial and warehousing uses means the gross floor area inside the perimeter building walls of a building or site to be used, or intended to be used, for service to the public as customers, patrons, or as tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise, and areas used principally for nonpublic purposes such as manufacturing, storage, incidental repair, processing or packaging of merchandise, and for delineated office area incidental to the management of the building or use. Mechanical or utility rooms and restrooms shall not be included in the definition of gross floor area for light industrial or manufacturing uses. (Ord. C-2013-05 §1(part), 2013).

**18.36.020 Change in use--Increase in number of parking spaces.**

A. Except as may be approved through a parking exception or by the planning commission and/or city council in conjunction with a discretionary permit, whenever in any building or on any site there is a change in use or increase in floor area, or an increase in the number of employees or other unit of measurement specified in this chapter to indicate the number of required off-street parking spaces, additional off-street parking spaces shall be provided on the basis of the increased requirements of the new use, or on the basis of the total increase in floor area or in number of employees, or in other unit of measurement related to such use.

B. This section shall not apply to changes in use, increases in floor area, or increases in the number of employees for retail and visitor-serving commercial uses in the commercial-downtown zoning district; provided, that such change in use, increase in floor area, or increase in the number of employees would not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and provided further, that the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in conformance with the requirements of the Half Moon Bay zoning code as are reasonably possible. (Ord. C-2013-05 §1(part), 2013).

**18.36.025 Mixed-use occupancies and uses not specified.**

A. In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall

not be considered as providing required parking facilities for any other use except as specified for joint use in this chapter.

B. In the case of a use not specified in this chapter, the requirements for off-street parking facilities for a similar use which is so specified in this chapter shall apply. (Ord. C-2013-05 §1(part), 2013).

**18.36.030 Joint use of facilities.**

A. Nothing in this chapter shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses; provided, that reciprocal access, egress, and parking agreements are reviewed by the community development director and city attorney and recorded against all affected properties. The total of such off-street parking spaces supplied collectively shall not be less than the sum of the requirements for the various uses computed separately.

B. Where a joint use of parking facilities is proposed and the applicant requests relief from the parking space requirements, a use permit shall be required. For restaurants which are combined with retail uses on the same property, which have different peak operating hours, the planning commission may approve a request for parking provisions for only seventy-five percent of restaurant capacity, as long as all required retail parking spaces are provided. This reduction may not be used in conjunction with a mixed-use shared-use reduction or guest parking waiver as provided for in chapter 18.07 in the C-D district.

C. For mixed-use development in the C-D district, the planning commission may grant up to a twenty (20) percent reduction in the total number of required parking spaces as specified in chapter 18.07.

(Ord. C-2015-04 §1(part), 2015; Ord. C-2013-05 §1(part), 2013).

**18.36.035 Nonconforming parking.**

Where automobile parking space is provided and maintained in connection with a main building or use upon the effective date of this chapter, and is insufficient to meet the requirements for the use with which it is associated, or where no such parking has been provided, then the building or structure may be enlarged or increased in capacity only if automobile parking spaces are provided for the enlargement or increase in capacity, to the standards set forth in this chapter. (Ord. C-2013-05 §1(part), 2013).

**18.36.040 Off-street parking facilities--Required number of parking spaces, size and access standards, and parking for disabled individuals.**



Except as may be approved by the planning commission and/or city council as a part of a discretionary permit or parking exception as provided for in this chapter, the following requirements shall apply to off-street parking facilities:

A. Number of Required Off-Street Parking Spaces. The number of off-street parking spaces required for all permitted uses is set forth in Table A: Number of Required Off-Street Parking Spaces.

**TABLE A: NUMBER OF REQUIRED OFF-STREET PARKING SPACES**

Type of Use	Number of Required Parking Spaces
Dwellings (single-family)	Two garage spaces per dwelling unit. Tandem parking configurations shall be prohibited except on substandard and severely substandard lots.
<u>Duplexes and triplexes</u>	<u>Two garage spaces per dwelling unit; plus one guest parking space for each duplex or triplex. The guest parking space shall be uncovered. The guest parking space shall not be in tandem with other required parking without a parking exception.</u>
<u>In the C-D district, multifamily dwellings with four or more units and residential portions of mixed-use development</u>	<p><u>One parking space per studio and one-bedroom unit; 1.5 parking spaces for units with two or more bedrooms; plus one guest space for each four units, with a minimum of one guest space.</u></p> <p><u>Mixed-use shared-use reduction and/or guest parking waiver subject to the requirements of chapter 18.07.</u></p>
<u>Outside of the C-D district, multifamily dwellings with four or more units and residential portions of mixed-use development</u> <del>Apartment, condominiums</del>	Two garage spaces per dwelling unit, plus one guest space for each <del>five</del> <u>four</u> units, with a minimum of one guest space, <u>provided that in the C-R, C-G and C-VS districts, one of the required spaces per unit may be unenclosed.</u>
Accessory dwelling units	As required by Chapter 18.33.

**TABLE A: NUMBER OF REQUIRED OFF-STREET PARKING SPACES**

<b>Type of Use</b>	<b>Number of Required Parking Spaces</b>
Hotels, motels and motor lodges	One space for each guest bedroom, plus one space per employee.
Condominium hotels	Two parking spaces provided for each guest room plus one space per employee. The planning commission may reduce this standard to not less than one and one-half spaces per guest room if the maximum square footage of each guest room does not exceed six hundred square feet.
Sanitariums, convalescent homes, homes for aged, floor asylums, hospitals, children's homes	Three spaces for each two beds or one for each one thousand square feet of gross area, whichever provides the greater number.
Theaters	One space for each four seats.
Stadiums, auditoriums	One space for each four occupants, based upon the Uniform Building Code standards.
Churches	One space for each four occupants, based upon the Uniform Building Code standards.
Schools, day nurseries	One space for each employee plus one space for each five children in attendance.
Schools, elementary/intermediate	One space for each employee plus one space for each five seats or for each forty square feet of floor area in the place of public assembly.
Schools, high schools	One space for each eight enrolled students, plus one space per employee.
Schools, colleges/universities	One space for each three enrolled daytime students, plus one space for each employee.
Schools, private	Parking requirements to be determined by the planning commission as a part of use permit review and approval.

**TABLE A: NUMBER OF REQUIRED OFF-STREET PARKING SPACES**

Type of Use	Number of Required Parking Spaces
Dance halls, assembly halls without fixed seats, exhibition halls	One space for each one hundred square feet of floor area used for dancing or assembly.
Bowling alleys	Five spaces for each alley, plus two for each billiard table, plus one for each four seats in any gallery.
<del>In the C-D district, R</del> etail sales, <del>business</del> or professional office, <del>personal improvement or personal service.</del>	One space for each <del>two hundred fifty square feet of area for the first ten thousand square feet of floor area; and one space for each</del> three hundred square feet of floor area <del>for buildings with floor area over ten thousand square feet.</del>
<del>Outside of the C-D district, retail sales, business or professional office, personal improvement or personal service.</del>	<del>One space for each two hundred fifty square feet of area for the first ten thousand square feet of floor area; and one space for each three hundred square feet of floor area exceeding ten thousand square feet.</del>
Medical or dental clinics, banks	One space for each two hundred fifty square feet of floor business or professional offices area for the first ten thousand square feet of floor area; and one space for each three hundred square feet for all area over ten thousand square feet.
<del>In the C-D district, cabarets, cocktail lounges, restaurants and cafes</del>	<del>One space for each seventy-five square feet of floor area where the public is served, plus one space per employee.</del>
<del>Outside the C-D district, C</del> cabarets, cocktail lounges, restaurants and cafes	One space for each forty-five square feet of floor area where the public is served, plus one space per employee.
Mortuaries or funeral homes	Ten spaces for each room used as a chapel room, slumber room, or parlor, or one space for each twenty square feet of assembly room used for services, whichever amount is greater, plus one

**TABLE A: NUMBER OF REQUIRED OFF-STREET PARKING SPACES**

<b>Type of Use</b>	<b>Number of Required Parking Spaces</b>
	space per employee, plus one space for each car operated by the establishment.
Auto sales	One space for every five hundred square feet of gross floor area.
Marina	One space for each two boat moorings.
Public utility, substations, and related facilities	One space per employee, plus one space per vehicle (including wheeled equipment) permanently assigned to the facility.
Park and recreation uses	One space for each eight thousand square feet of active recreation area within a park or playground, plus one space per acre of passive recreation area within a park or playground.
Warehousing and storage	One space for each one thousand square feet of floor area for the first ten thousand square feet, plus one space for each one thousand five hundred square feet for all additional area.
Light industrial and manufacturing	One space for each five hundred square feet of floor area for the first ten thousand square feet, plus one space for each seven hundred fifty square feet for all additional area.
Businesses using trucks as a typical part of operations	One space for each truck shall be provided, in addition to the other parking requirements.
All uses not listed above, which are permitted in C districts:	
Five thousand square feet of gross floor area or less	One space for each two hundred fifty square feet of gross floor area exclusive of floor area used for air-conditioning or other utility equipment.
Five thousand square feet of gross floor area or more	Nineteen spaces, plus one space for each two hundred square feet of gross floor area in excess of

**TABLE A: NUMBER OF REQUIRED OFF-STREET PARKING SPACES**

Type of Use	Number of Required Parking Spaces
	five thousand square feet, exclusive of floor area used for air-conditioning or other utility equipment.

B. Size and Access. Off-street parking facilities shall comply with the size and access standards set forth in Table B: Parking Facility Size and Access Standards. Each off-street parking space shall have an area of not less than one hundred seventy square feet exclusive of access drives or aisles, and shall be of usable shape, location and condition. There shall be adequate provision for ingress and egress to all parking spaces.

**TABLE B: PARKING FACILITY SIZE AND ACCESS STANDARDS**

N	P	S	a	C	Area	P'	S'
Parking Angle	Parking Section Width	Stall Depth	Aisle Width	Curb Length per Car	Area per Car'	Parking Section Width	Stall Depth
Degrees	Lin. ft.	Lin. ft.	Lin. ft.	Lin. ft.	Sq. ft.	Lin. ft.	Lin. ft.
0	32'0"	10'0"	12'	22'0"	220	32'0"	10'0"
30	48'8"	17'4"	14'	18'2"	315	43'2"	14'7"
35	50'8"	18'4"	14'	15'8"	288	45'2"	15'7"
40	52'4"	19'2"	14'	14'1"	267	46'8"	16'4"
45	53'8"	19'10"	14'	12'9"	252	47'4"	16'8"
50	55'8"	20'4"	16'	11'8"	239	50'0"	17'6"
55	57'6"	20'9"	16'	10'11"	228	52'4"	18'2"
60	60'0"	21'0"	18'	10'5"	218	55'6"	18'9"
65	62'6"	21'3"	20' <sup>2</sup>	9'11"	209	58'6"	19'3"
70	62'10"	20'11"	21' <sup>2</sup>	9'7"	202	59'8"	19'4"
75	63'4"	20'8"	22' <sup>2</sup>	9'4"	193	61'0"	19'6"
80	63'8"	20'4"	23' <sup>2</sup>	9'1"	186	62'0"	19'6"

**TABLE B: PARKING FACILITY SIZE AND ACCESS STANDARDS**

<b>N</b>	<b>P</b>	<b>S</b>	<b>a</b>	<b>C</b>	<b>Area</b>	<b>P'</b>	<b>S'</b>
<b>Parking Angle</b>	<b>Parking Section Width</b>	<b>Stall Depth</b>	<b>Aisle Width</b>	<b>Curb Length per Car</b>	<b>Area per Car<sup>1</sup></b>	<b>Parking Section Width</b>	<b>Stall Depth</b>
<b>Degrees</b>	<b>Lin. ft.</b>	<b>Lin. ft.</b>	<b>Lin. ft.</b>	<b>Lin. ft.</b>	<b>Sq. ft.</b>	<b>Lin. ft.</b>	<b>Lin. ft.</b>
85	64'6"	19'9"	25' <sup>3</sup>	9'0"	180	63'6"	19'3"
90	63'0"	19'0"	25' <sup>3</sup>	9'0"	171	63'0"	19'0"

<sup>1</sup> Includes waste areas at both ends of 9' x 19' parking space. Aisle space not included.

<sup>2</sup> Aisle width sufficient for two-way circulation only when a turnaround is provided.

<sup>3</sup> Aisle width sufficient for two-way circulation.

**C. Compact Off-Street Parking Facilities.**

1. When Permissible. Compact off-street parking facilities may be provided to attain the required number of off-street parking spaces specified in Table A above, when one or more of the following circumstances apply:

- a. The off-street parking facility serves a property located in the commercial-downtown, commercial-residential, commercial-visitor serving, and commercial-general zoning districts, and the number of required off-street parking spaces exceeds ten; or
- b. The off-street parking facility serves a multifamily residential property located in the R-3 zoning district, and the number of required off-street parking spaces exceeds eight; or
- c. A parking exception has been granted in accordance with Section 18.36.080.

2. Size and Access. Compact off-street parking spaces shall comply with the size and access standards set forth in Table C: Compact Parking Facility Size and Access Standards. Each compact off-street parking space shall have an area of not less than one hundred fifty-three square feet exclusive of access drives or aisles, and shall be of usable shape, location, and condition. There shall be adequate provision for ingress and egress to all parking spaces.

**TABLE C: COMPACT PARKING FACILITY SIZE AND ACCESS STANDARDS**

N	P	S	a	C	Area	P'	S'
Parking Angle	Parking Section Width	Stall Depth	Aisle Width	Curb Length per Car	Area per Car'	Parking Section Width	Stall Depth
Degrees	Lin. ft.	Lin. ft.	Lin. ft.	Lin. ft.	Sq. ft.	Lin. ft.	Lin. ft.
90	61'0"	18'0"	24'	8'6"	153	61'0"	18'0"

3. All other requirements for off-street parking facilities apply. Notwithstanding the size and access standards set forth in Table C of this section, compact off-street parking facilities shall comply with all requirements and design standards provided for in this chapter.

D. **Parking for Disabled Individuals.** Parking spaces specifically reserved for vehicles licensed by the state of California for use by disabled individuals shall be provided and improved in each parking facility as required by state law. (Ord. C-2018-04 §2(Att. A)(part), 2018; Ord. C-2013-05 §1(part), 2013).

**18.36.045 Off-street loading requirements.**

Buildings or structures to be built or substantially altered which receive and distribute material and merchandise by trucks shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use.

A. The following standards shall be used in establishing the minimum number of berths required:

Gross Floor Area of the Building in Square Feet	Number of Berths
Up to 20,000	1
20,000 to 50,000	2

For each additional fifty thousand square feet of gross floor area, one additional berth shall be provided. For offices and stores up to five thousand square feet, regular off-street parking areas may be used to meet the off-street loading requirements.

B. A loading berth shall contain a minimum space of ten feet wide and sixty feet long and have an overhead clearance of fourteen feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

C. Access to loading berths shall be from alleys where they exist, but in no event shall a loading berth abut on or directly access any existing street, road or highway. (Ord. C-2013-05 §1(part), 2013).

**18.36.050 Guest parking spaces in residential developments and mobile home parks.**

Under the circumstances described in this chapter, parking spaces for guests shall be provided when and as follows:

- A. For multifamily residential developments ~~with ten or more units~~, guest parking spaces shall be provided on site at a ratio of one space for each four units.
- B. Where a residential development is approved with internal streets and drives that do not meet city standards and on-street parking is restricted, or where streets or drives are designated and posted with restricted parking such as fire lanes, guest parking spaces shall be provided outside of the street section or paved area at a ratio of one space for each four units.
- C. For mobile home parks, guest parking spaces shall be located for convenient access to mobile home spaces. Guest parking spaces may be located in adjacent parking bays or along access roads where sufficient paved roadway width is provided. (Ord. C-2013-05 §1(part), 2013).

**18.36.055 Off-street parking facilities--Required improvements.**

- A. Screening Required.
  - 1. Automobile parking facilities for more than ten vehicles sited adjacent to a premises in a residential district shall be effectively screened by a solid fence or wall with a uniformly treated surface. Except where a lower fence or wall is required to meet vehicle sight distance requirements, such fence or wall shall not be less than six feet in height and shall be maintained in good condition. Screen planting of plant material and design approved by the planning commission may be substituted for a solid fence or wall; provided, that a bond to guarantee the installation and maintenance of the screen planting is posted with the planning commission. The amount of the bond shall be set by the city engineer.
  - 2. For a corner site, within a required setback area, screening within a sight distance area shall not exceed three feet in height and any trees within a sight distance area shall be pruned to allow at least nine feet of clearance between the natural grade and the lowest foliage. The "sight distance area" is a triangular area measured from the corner property marker or apex of the radius of the curve, to two points located fifteen feet back along the front and side property lines and completed by the diagonal connecting these two points.
- B. Surfacing and Grading. Unless otherwise approved by the planning commission and/or city council, all parking areas shall be surfaced so as to provide a durable, dust free, all-weather surface and graded so as to minimize surface water accumulation and runoff within the area. All areas used for the parking



and maneuvering of vehicles shall be so surfaced and graded as to avoid flow of water across sidewalks. Surfacing materials are subject to approval of the city engineer.

C. Curbing and Setback. Parking spaces along the outer boundaries of an unenclosed parking lot shall be contained by a curb at least four inches high or by a bumper rail, and set back a minimum of four and one-half feet from the property line.

D. Lighting. Any artificial lighting installed in a parking facility shall be deflected as to not shine or create glare in any residential district or any adjacent dwelling.

E. Interference with Street Right-of-Way. All groups of more than two parking spaces shall configured or be located and served by a driveway so as to prevent backing into or other maneuvering within a street right-of-way other than an alley.

F. Striping and Signage. All parking areas shall contain striping that clearly outlines all parking spaces. Aisles, approach lanes, turning areas, and driveways shall be marked with directional arrows and/or signs where necessary to provide for safe traffic movement.

G. All improvements required herein shall be consistent with California Regional Water Quality Board and San Francisco Bay Region Municipal Regional Stormwater NPDES permit guidelines. (Ord. C-2013-05 §1(part), 2013).

**18.36.060 Parking spaces in residential district front yards.**

In all R (residential) districts, vehicle parking may be allowed on all-weather driveways within the required front yard in front of garages. One required side yard setback area adjacent to the driveway in front of the garage may be used for the parking of a vehicle so long as the area is an all-weather surface. In no case may a vehicle be parked or stored within a required front yard area for other than short, temporary periods of time not to exceed twenty-four hours in any thirty-day period. (Ord. C-2013-05 §1(part), 2013).

**18.36.065 Off-street parking on a separate lot.**

The planning commission and/or city council shall not approve required off-street parking or loading space proposed on a separate lot from the building site or sites unless:

A. The off-site parking lot is within three hundred feet walking distance or otherwise located so as to be useful in connection with the proposed use or uses on the building site or sites; and

B. Parking at the off-site location will not create undue traffic hazards in the surrounding area; and

- C. The off-site parking lot and the building site or sites are in the same ownership or the owners are entitled to the immediate possession and use thereof for a term coterminous with the proposed use;
- D. Upon receiving approvals from the planning commission and/or city council for all required discretionary permits, the owner or owners of the properties execute a written instrument or instruments, approved as to form and content by the city attorney, providing for the maintenance of the required parking on the off-site parking lot for the duration of the proposed use or uses on the building site. Such instruments shall be recorded in the county recorder's office as restricted covenants against each property;
- E. Should a change in use or additional uses be proposed, the off-street parking regulations in effect at the time of the change of type or intensity of use shall apply;
- F. As set forth in this title, off-site parking lots in residential districts to support commercial uses require the approval of a use permit in each case. (Ord. C-2013-05 §1(part), 2013).

**18.36.070 Bicycle parking.**

A. Short-Term Bicycle Parking. Short-term bicycle parking shall be provided in order to serve shoppers, customers, messengers, guests and other visitors to a site who generally stay for a short time.

1. Parking Spaces Required. The number of short-term bicycle parking spaces shall be at a ratio of one bicycle parking space per ten required off-street parking spaces, with a minimum of four bicycle parking spaces provided per establishment, for the following uses:

- a. Multi-unit residential, group residential, and single room occupancy with five or more units.
- b. All uses in the public and semi-public land use classification except cemeteries and community gardens.
- c. All uses in the commercial land use classification, except animal care, sales, and services and artists' studios.

2. Location. Short-term bicycle parking must be located outside of the public right-of-way and pedestrian walkways and within fifty feet of a main entrance to the building it serves.

- a. Commercial Centers. In a commercial center, bicycle parking must be located within fifty feet of an entrance to each anchor store. Bicycle parking shall be visible from the street or

from the main building entrance, or a sign must be posted at the main building entrance indicating the location of the parking.

b. **Mixed-Use Districts.** Bicycle parking in mixed-use districts may be located in the public right-of-way within an encroachment permit, provided an unobstructed sidewalk clearance of six feet is maintained for pedestrians at all times.

3. **Anchoring and Security.** For each short-term bicycle parking space required, a stationary, securely anchored rack or stand shall be provided to which a bicycle frame and one wheel can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One such rack or stand may serve multiple bicycle parking spaces.

4. **Size and Accessibility.** Each short-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces.

B. **Long-Term Bicycle Parking.** Long-term bicycle parking shall be provided in order to serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.

1. **Parking Spaces Required.**

a. **Residential Uses.** A minimum of one long-term bicycle parking space shall be provided for every ~~five~~three units for multi-unit residential and group residential projects.

b. **Other Uses.** Any building with twenty-five or more full-time equivalent employees or tenant-occupants shall provide long-term bicycle parking at a ratio of one space per twenty required off-street parking spaces, with a minimum of one bicycle parking space. Any building used for school uses shall provide long-term bicycle parking space at a ratio of one space per fifteen occupants (students, teachers, and staff).

c. **Parking Lots and Structures.** Long-term bicycle parking shall be provided at a minimum ratio of one space per fifty vehicle spaces.

2. **Location.** Long-term bicycle parking must be located on the same lot as the use it serves. In parking garages, long-term bicycle parking must be located near an entrance to the facility.

3. **Covered Spaces.** At least fifty percent of required long-term bicycle parking must be covered. Covered parking can be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
4. **Security.** Long-term bicycle parking must be in:
  - a. An enclosed bicycle locker; or
  - b. A fenced, covered, locked or guarded bicycle storage area; or
  - c. A rack or stand inside a building that is within view of an attendant or security guard or visible from employee work areas; or
  - d. Other secure area approved by the community development director.
5. **Size and Accessibility.** Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces. (Ord. C-2015-04 §1(part), 2015; Ord. C-2013-05 §1(part), 2013).

**18.36.075 Low-emission vehicle parking.**

Unless a parking exception is granted, parking for new development shall include at least the minimum number of required EV charging stations and EV parking spaces as required by the California Building Standards Code. Such provisions shall not be counted as a public benefit for the purposes of making findings for granting a guest parking waiver for mixed-use development in the C-D district as provided for in 18.07.040. If made available for public use, the provision of low-emission vehicular parking above and beyond the minimum standard, including but not limited to EV chargers and EV parking spaces, carshare services, and bikeshare services may be considered as findings in support of the guest parking waiver in the C-D district, and may also be considered as a means to support parking exceptions generally in the C-D, C-R, C-G, and C-VS districts.

**18.36.080 Plans to accompany building permit application.**

A plan, drawn to scale and fully dimensioned, indicating how the off-street parking and loading requirements are to be fulfilled, shall accompany an application for any discretionary and building permit. Prior to the issuance of a building permit, the community development director shall determine that the plan submitted incorporates all of the requirements of this chapter and any conditions imposed by

the planning commission and/or city council. The plan shall show all elements necessary to indicate that the requirements are being fulfilled, including the following:

- A. Delineation of individual parking and loading spaces, including the size of stalls and access drives;
- B. Circulation area necessary to serve parking and loading spaces;
- C. Access to streets and property to be served;
- D. Curb cuts and any closures of existing drives;
- E. Dimensions, continuity and substance of screening;
- F. Grading, drainage, surfacing and subgrading details;
- G. Delineation of obstacles to parking and circulation in finished parking area;
- H. Specifications as to signs and bumper guards;
- I. Landscaping plans and details;
- J. All other pertinent details as may be required by the community development director. (Ord. C-2015-04 §1(part), 2015; Ord. C-2013-05 §1(part), 2013).

#### **18.36.08~~50~~ Parking exceptions.**

In cases of practical difficulties and unusual hardship, exceptions to the parking requirements or development standards set forth in this chapter may be granted. Application for a parking exception shall be made and an exception may be approved under the following procedures:

A. An application for a parking exception shall be initiated on a form provided by the community development department. An application for a parking exception shall be submitted concurrently with any other required discretionary permit. The application shall include a fee set by resolution of the city council. At the time a complete application for a parking exception is made, the community development director shall determine the applicable review procedure as provided for herein.

1. The community development director shall review an application for parking exception if no discretionary permit is being sought in addition to the parking exception or if the only discretionary permit being sought is an administrative coastal development permit pursuant to Section 18.33.020. The community development director shall make written finding of facts showing whether the four requirements in subsection B of this section have been established with respect to

the land, building or use for which the parking exception is sought, and make a determination as to the granting or denial of the application for a parking exception based upon those findings. In the C-D, C-R, C-G and C-VS districts, the planning commission shall also consider the findings in chapters 18.07 or 18.08 as applicable.

2. The planning commission shall review an application for parking exception if a discretionary permit(s) is being sought in addition to the parking exception, at the same public hearing held for the associated discretionary permit and in accordance with subsections C through F of this section.

B. The applicant shall submit a written explanation relating the circumstance of the particular case to the following findings of fact:

1. That there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to the land, buildings and/or uses in the same district;
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner;
3. That the granting of such application will not, under the circumstances of the particular case, materially adversely affect the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood;
4. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in conformance with the requirements of the Half Moon Bay zoning code as are reasonably possible.

C. Where a public hearing is required for any discretionary permit associated with the parking exception, the required public notice shall also indicate that a parking exception is also requested.

D. At any public hearing or meeting of the planning commission and/or city council, the applicant may present testimony and other evidence in support of his application, and other interested persons may be heard and/or present evidence on the matter.

E. After the conclusion of the public hearing or meeting, the planning commission and/or city council shall make written finding of facts showing whether the four requirements in subsection B of this section have been established with respect to the land, building or use for which the parking exception is sought,

and make its determination as to the granting or denial of the application for a parking exception based upon those findings.

F. In approving any parking exception under the provisions of this chapter, the community development director, planning commission, and/or city council shall impose such conditions in connection therewith as will, in its opinion, secure substantially the objectives of this title as to the public health, safety, morals, convenience and general welfare. It shall also require such evidence and guarantees as it deems necessary to obtain compliance with the conditions imposed in connection therewith.

G. A determination of the community development director or planning commission pursuant to this section may be appealed in accordance with the requirements of Chapter 1.25.

H. Unless otherwise expressly stated in the granting thereof, every parking exception approved under the provisions of this chapter shall lapse and expire and be of no force and effect whatsoever, unless the building, work of construction or other project or undertaking for which the parking exception was granted is substantially commenced within one year after its effective date and thereafter diligently prosecuted to completion. Nothing in this chapter shall prevent the planning commission and/or city council from extending the time for the exercise of said rights for one additional period of six months upon receiving a written request from the applicant prior to the expiration of the six-month period.

I. An application for a parking exception that has been finally disapproved may not be resubmitted for a period of one year from final disapproval unless the application has been substantially changed.

J. Where a request for a parking exception has been submitted for a reduction in the parking stall dimensions, in no case shall the community development director or planning commission approve a parking stall with dimensions less than eight feet by sixteen feet. (Ord. C-2018-04 §2(Att. A)(part), 2018; Ord. C-2015-04 §1(part), 2015; Ord. C-2013-05 §1(part), 2013).

**ORDINANCE NO. C-2020-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY  
AMENDING CHAPTER 18.02 "DEFINITIONS;" CHAPTER 18.06 "RESIDENTIAL LAND USE;"  
CHAPTER 18.07 "COMMERCIAL LAND USE (C-D, C-R);" CHAPTER 18.08 "COMMERCIAL LAND  
USE (C-VS, C-G);" AND CHAPTER 18.36 "PARKING STANDARDS" OF THE HALF MOON BAY  
MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF HALF MOON BAY DOES ORDAIN AS FOLLOWS:

**Section 1. Findings.** The City Council of the City of Half Moon Bay hereby amends Chapter 18.02 Definitions; Chapter 18.06 Residential Land Use; Chapter 18.07 Commercial Land Use (C-D, C-R); Chapter 18.08 Commercial Land Use (C-VS, C-G); and Chapter 18.36 Parking Standards Half Moon Bay Municipal Code ("Mixed-Use Districts and Parking Standards Ordinance Amendment"). The City Council finds and declares as follows:

- (a) The City of Half Moon Bay is located fully within the California Coastal Zone; and
- (b) The City of Half Moon Bay's certified Local Coastal Program includes an implementation plan which is in part comprised of the Zoning Ordinance; and
- (c) The City established the C-D and C-R zoning districts to designate appropriate uses and development standards for Downtown and to implement the requirements of the policies of the Local Coastal Program as required by the California Coastal Act; and
- (d) The City established the C-VS and C-G zoning districts to designate appropriate uses and development standards for commercial areas along the City's primary transportation corridors Highways 1 and 92 to further implement the requirements of the policies of the Local Coastal Program as required by the California Coastal Act; and
- (e) The California Coastal Act and the certified Local Coastal Program prioritize visitor-serving uses, including those identified as most appropriate for ground floor development within the historic Downtown Area as well as those oriented to coastal recreation and access; and
- (f) The City adopted the Downtown Specific Plan on June 5, 1995; and
- (g) The City Council has identified affordable housing as a multi-year priority and directed staff to prepare and implement a workplan to facilitate development of new housing, especially within the Downtown area; and
- (h) Staff identified constraints imposed by zoning regulations associated in the C-D, C-R, C-G, and C-VS mixed-use districts, as well as the parking standards which have not



been updated for many years to reflect the actual parking demand associated with multi-family and mixed-use development located in these districts; and

- (i) The Planning Commission has approved exceptions to parking standards for mixed-use development having studied the actual parking demand of development proposals and finding them to be lower than that required by the City's parking standards; and
- (j) City staff prepared a parking occupancy survey of public parking areas and some private parking lots within the Downtown area to further understand parking demand in the higher density mixed-use Downtown; and
- (k) Both Chapter 18.07 of the Municipal Code and the Downtown Specific Plan include statements of intention to support the historic Downtown area of Half Moon Bay centered on Main Street for visitor-serving and pedestrian-oriented uses; and
- (l) Both Chapter 18.07 of the Municipal Code and the Downtown Specific Plan provide use regulations and development standards affecting the historic Downtown area of Half Moon Bay centered on Main Street; however, neither Chapter 18.07 nor the Downtown Specific Plan establish limits on the amount of uses that are not visitor-serving or pedestrian-oriented uses, including office uses; and
- (m) The 300, 400, 500, and 600 blocks of Downtown Main Street between Pilarcitos Creek is evident though entries in the City's historic resources inventory and zoning requirements as the heart of historic Downtown Half Moon Bay and are referred to herein as "Heritage Main Street;" and
- (n) This portion of Downtown Main Street, including the Heritage Main Street blocks, is further identified in the City's certified Local Coastal Program as part of "Old Downtown;" and Old Downtown is defined as a visual resource area in the certified Local Coastal Program and subject to visual resource standards requiring the preservation and enhancement of scale, style, continuity of building lines, design, and land uses; and
- (o) As of December 2019, more than 40 percent of the frontage uses on the Heritage Main Street blocks are comprised of uses that are not visitor-serving and are not pedestrian-oriented and in 2019, the two most recent new uses on the Heritage Main Street blocks are office uses that have moved into vacant ground-floor storefronts, and several ground-floor vacancies remain; and
- (p) Considering the above, Heritage Main Street storefronts and sites are vulnerable to additional long-term conversion to uses that are not visitor-serving or pedestrian-oriented; and

- (q) Limiting such uses, including business and professional offices, certain personal and personal improvement services, and other uses that are not visitor-serving or pedestrian-oriented, is necessary to protect against this threat; and
- (r) The Planning Commission considered such provisions at a study session on July 23, 2019; and
- (s) City staff have researched provisions in other jurisdictions that limit uses on ground floor frontages in similar traditional downtown districts to those that are determined to be pedestrian-oriented, active, and ground-floor dependent uses; and
- (t) City staff have determined that active ground-floor dependent uses are consistent with visitor-serving uses and provide a pedestrian-oriented environment as intended through the City's Local Coastal Program and Downtown Specific Plan; and
- (u) The City Council having received public testimony from Downtown business and property owners about the need to prioritize protection of Heritage Main Street from further encroachment of uses that are not active or ground-floor dependent, as provided for under Government Code section 65858(a), adopted an Interim Urgency Ordinance on December 5, 2019, and extended the ordinance on December 17, 2019 with an expiration of December 17, 2020, to prohibit any new uses on the ground floor of properties and buildings with frontage on Heritage Main Street unless the use is determined to be an active ground-floor dependent use; and
- (v) The interim urgency ordinance allowed City staff time to complete necessary studies and reports for contemplated amendments and for the Planning Commission and City Council to conduct the necessary public hearings as well as to provide time for California Coastal Commission certification; and
- (w) The Mixed-Use Districts and Parking Standards Ordinance Amendment has been prepared to regulate the uses on the ground floor of Heritage Main Street as part of a suite of coordinated amendments to support City Council's priority for facilitating development of housing, including affordable housing, while upholding the obligations of the Coastal Act; and
- (x) The associated amendments recognize residential development as by-right in the C-D, C-R, and C-G zoning districts; and
- (y) The Planning Commission conducted a duly noticed public hearing on the Mixed-Use Districts and Parking Standards Ordinance Amendment on December 10, 2019, continued to January 14, 2020 at which time all those desiring to be heard on the matter were given an opportunity to be heard, and recommended the proposed

Mixed-Use Districts and Parking Standards Ordinance Amendment for adoption by the City Council; and

(z) The Mixed-Use Districts and Parking Standards Ordinance Amendment is consistent with the City's Housing Element, which contains a program (2-11) to support mixed-use development and housing stock diversity; program (3-1) to removal constraints imposed by onerous zoning requirements; and

(aa) The Mixed-Use Districts and Parking Standards Ordinance Amendment is consistent with the City's Measure D one percent annual growth limit measure; and

(bb) The Mixed-Use Districts and Parking Standards Ordinance Amendment is in compliance with AB 330 the Housing Crisis Act of 2019 removing constraints to the development of housing within the City's mixed-use zoning districts.

**Section 2. Amendments.** The following sections of the Municipal Code are amended as specified below and in Attachment A. Attachment A generally shows additions with underlined text and deletions with ~~strike-out text~~.

Municipal Code Provision	Action
Chapter 18.02	Amendments as shown in Attachment A
Chapter 18.06	Amendments as shown in Attachment A
Chapter 18.07	Amendments as shown in Attachment A
Chapter 18.08	Amendments as shown in Attachment A
Chapter 18.36	Amendments as shown in Attachment A

**Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 4. CEQA.** The City Council finds that the Ordinance is exempt from CEQA per CEQA Guidelines sections 15305 (minor alterations to land use limitations) and 15061(b)(3) (common sense exemption). With respect to Heritage Main Street, the proposed Ordinance intends to preserve the baseline active, ground-floor dependent uses. With respect to residential uses, the proposed amendments are intended to streamline permitting of uses that are already allowed under the current zoning code; adoption of the proposed amendments are not likely to significantly alter future land uses beyond what is permitted under the current code. With respect to changes to parking requirements, the proposed amendments are tailored to adjust such requirements to meet parking demand and to eliminate the creation of excess parking

spots. The City Council finds that these changes are minor, will not result in any changes to land use or density, and do not create any possibility of a significant effect on the environment.

**Section 5. Future City Council Review.** The City Council shall receive and review a status report from Staff on the Ordinance's effectiveness at one year and two years from its effective date to assess use changes and vacancies on Heritage Main Street.

**Section 6. Publication.** The City Clerk of the City of Half Moon Bay is hereby directed to publish this Ordinance pursuant to Government Code section 36933.

**Section 7. Effective date.** This Ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

**Section 8. Interim Urgency Ordinance.** As of the effective date (including any California Coastal Commission certification), the Interim Urgency Ordinance is hereby repealed.

**INTRODUCED** at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 4<sup>th</sup> day of February, 2020.

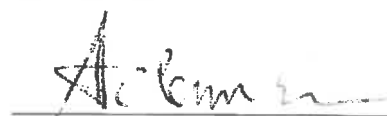
**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Half Moon Bay, California, held on the 18<sup>th</sup> day of February, 2020, by the following vote:

Ayes, Councilmembers: Penrose, Rarback, Ruddock, Eisen  
Noes, Councilmembers:  
Absent, Councilmembers: Brownstone  
Abstain, Councilmembers:

ATTEST:

  
\_\_\_\_\_  
Jessica Blair, City Clerk

APPROVED:

  
\_\_\_\_\_  
Adam Eisen, Mayor